



Notice of meeting of

Planning Committee

To: Councillors R Watson (Chair), Simpson-Laing (Vice-Chair), Cregan, Crisp, D'Agorne, Firth, Sue Galloway, Galvin, Horton, Hudson, Jamieson-Ball, King, Moore, Reid, B Watson and Wiseman

Date: Monday, 17 December 2007

Time: 4.30 pm

Venue: The Guildhall, York

AGENDA

**Site Visits for this meeting will commence at 12:30 pm on
Friday 14 December 2007
Members will meet at Memorial Gardens**

1. Declarations of Interest

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by 5pm the working day before the meeting. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

3. Plans List

This item invites Members to determine the following planning applications:

a) Site to the rear of Ilford Close Strensall Road York (07/02194/FULM) Strensall Ward (Pages 5 - 14)

Change of use from agricultural to equestrian use to provide two paddocks and the formation of a turning head (resubmission)

b) Plot 8b Great North Way Nether Poppleton York (07/02315/REMM) Rural West York Ward (Pages 15 - 24)

Reserved matters application for erection of 4 two storey blocks comprising office/workshop units (B1, B2 and B8 use)

4. The Nestlé/Rowntree Factory Conservation Area Appraisal : Results of Consultation and Proposed Final Draft (Pages 25 - 70)

This report presents the results of a public consultation exercise for the Nestlé/Rowntree Factory Conservation Area Appraisal and recommends that, following minor modifications, the document be adopted.

5. Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Sarah Kingston

Contact Details:

- Telephone – (01904) 552030
- E-mail – sarah.kingston@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

This page is intentionally left blank

PLANNING COMMITTEE – 17 DECEMBER 2007**SITE VISITS****FRIDAY 14 DECEMBER 2007****Members are to meet at Memorial Gardens at 12:30 pm**

<u>Time</u>	<u>Site</u>	<u>Item</u>
12.45 pm	Site to the rear of Ilford Close Strensall York	3a

This page is intentionally left blank

About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন অর্ধাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোঅবী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin terümesini hazırlatmak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel: (01904) 551 550

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話 (01904) 551 550。

اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ مہیا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550

Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

COMMITTEE REPORT

Committee: Planning Committee **Ward:** Strensall
Date: 17 December 2007 **Parish:** Earswick Parish Council

Reference: 07/02194/FULM
Application at: Site To The Rear Of Ilford Close Strensall Road York
For: Change of use from agricultural to equestrian use to provide two paddocks and the formation of a turning head
(resubmission)
By: Hogg Builders
Application Type: Major Full Application (13 weeks)
Target Date: 19 December 2007

1.0 PROPOSAL

1.1 The application comprises the change of use of agricultural land east of Strensall Road to equestrian use (Class D2) by the creation of two paddocks and a turning head for vehicles. Access would be via an existing field access from Strensall Road.

1.2 The paddocks would be for domestic use. The applicant anticipates that they would be let to the occupiers of two large detached houses close to the site. The two houses were approved under 06/01020/FUL as amended and are under construction.

1.3 The current application is a resubmission of 07/00955/FULM, which included a stable block and turning area in each paddock. The application was withdrawn due to concerns by officers about impact on the green belt.

1.4 A committee site visit is to take place because objections have been received and the application is recommended for approval.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies:

CYGP1
Design

CYGB1

Development within the Green Belt

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - The adjacent houses do not abut the application site nor are they included within the application boundary. Therefore, from a highway perspective, the application must be treated as an independent use unconnected and distinct from the neighbouring residential developments. The existing vehicle access should be widened from 3m to 6m for a distance of 15m from the public highway, drained and improved to council standards. The main highway concern is to avoid the intensive use of the access by horse boxes and trailers. Conditions should be attached to achieve this.

Environment, Conservation, Sustainable Development (Countryside) - The site has limited floristic interest. Whilst parts of the hedgerows are in poor condition they form a largely intact part of the old enclosure landscape, including the hedge down the centre of the main field. Conditions should therefore be attached to re-establish and strengthen the hedges, rather than provide fences. This would be of value to wildlife as well as the landscape. The application is unlikely to have a significant impact on newts.

Environmental Protection Unit - No objections. Add standard demolition/construction informative.

3.2 External

Earswick Parish Council - Objection. The green belt should be preserved. The access lane is very narrow and any large vehicle such as a horsebox, would have to swing onto the opposite carriageway causing a danger to other traffic. Although farm traffic has used this lane in the past the danger is increased in light of the improvements to the roundabout, which are intended to speed up the flow of traffic. Riders exiting the lane would cause a danger to traffic as well as themselves. Approval could result in a planning application for housing on the land should the paddocks be unviable at some point in the future.

Public Consultation - The consultation period expired on 31 October 2007. Four objections have been received raising the following planning issues: Exiting horseboxes, etc, would cause a danger to traffic in Strensall Road. Impact on the green belt. Increased crime in the area. The proposals would, in effect, extend into the green belt the gardens of recently-built houses. Impact on amenity of adjacent residents. The developer should be required to install horse-proof fencing. The proposal would assist designation of green belt land for housing. The proposal could expand to become a large commercial venture.

4.0 APPRAISAL

4.1 Key Issues

Principle of development.

Impact on the green belt and countryside.

Neighbour amenity.
Highway safety.
Hedgerows
Future demand for housing.
Crime
Use of applicant's adjacent land

4.2 The Application Site

Approximately 3h of agricultural land in the green belt land close to the settlement limit of Earswick village. Access is from Strensall Road via a gravel-surfaced farm track between two adjacent houses. To the west of the site, fronting onto Strensall Road, is a recent housing development of six houses built by the applicant. Two of the houses abut the green belt and are under construction. The applicant intends that the occupiers of these two houses would lease and occupy the proposed paddocks. Between the houses and the site is an area of approximately 0.26ha of agricultural land in the green belt. This land is under the applicant's control. The land would be laid out as two orchards, separated from the private gardens by a post and rail fence. The orchards would be included in the sale of each of the two adjacent houses with a condition that they remain as orchards.

4.3 Principle of Development

Use of land for the keeping of horses for recreation is materially different from using land for grazing which is an agricultural use. Planning permission is therefore required. The proposed use accords with one of the green belt objectives, set out in PPG2, which is to provide opportunities for outdoor sport and outdoor recreation near urban areas. The use also complies with PPS7 - Sustainable Development in Rural Areas.

4.4 Impact on the Green Belt and the Countryside

The use of the land as paddocks would have little impact on the openness of the green belt. Whilst green belt policy would allow the erection of essential facilities in connection with the use of the land as paddocks, none are proposed under the current application. The use is also in keeping with the open character and appearance of the countryside.

4.5 Neighbour Amenities

The paddocks would be large enough to accommodate approximately six horses, based on the standard requirement of 0.4ha per horse. The level of activity associated with this number of horses is unlikely to have a significant impact on adjacent occupiers. However, a more intensive equestrian use could have a much greater impact. Conditions should be attached limiting the number of horses on the site and preventing any use other than the domestic keeping of horses.

A condition should also be attached to ensure that the stock-proof fencing shown on the approved plans is provided along the boundaries with the adjacent dwellings to prevent horses intruding into adjacent gardens. A further condition should be attached preventing manure being stored close to residential dwellings.

4.6 Highway Safety

The existing field access is narrow and has poor sightlines. The access should therefore be widened from 3m to 6m for a distance of 15m from the public highway, drained and improved to council standards. Intensive use of the site would be likely to increase the number of vehicular movements, particularly by trailers and horse boxes, to the detriment of highway safety. Conditions should be attached to limit the amount of activity on the site. Suitable conditions would include limiting the number of horses to six and restricting the use to only the keeping of horses.

4.7 Hedgerows

Whilst parts of the hedgerows are in poor condition they form a largely intact part of the old enclosure landscape, including the hedge down the centre of the main field. Conditions should therefore be attached to re-establish and strengthen the hedges rather than provide fences (although horse-proof fences may still be needed along some boundaries. This would be of value to wildlife as well as the landscape.

4.8 Future Demand for Housing

Local residents are concerned that an equestrian use could increase the likelihood of the site being used for housing. If planning permission were granted for the keeping of horses the land would retain its green belt status. The land would therefore continue to be protected from inappropriate development as defined in PPG2, which includes housing. Moreover, the small number of horses on the site and its proximity to Strensall should be sufficient to prevent the operators of the paddocks from making a convincing case for erecting a house on the site in order to protect the welfare of the horses.

4.9 Crime

There is no evidence to suggest that the use of the land as domestic paddocks would materially increase the incidence of crime in the area.

4.10 Use of Applicant's Adjacent Land

The adjacent plots of land between the paddocks and the two recently-built houses to the west comprise agricultural land in the green belt. The plots are part of the 'blue land', ie outside the site but under the control of the applicant. No planning permission has been granted, or sought, to change the use of the land from agricultural. However, the use of the application land as paddocks would sever the adjacent blue land, which occupies just 0.26ha. These plots of land would, as a result of the application, appear to be much too small to be a viable agricultural unit. The applicant intends to sell these plots to the owners of the two adjacent houses with a condition that the plots be used as orchards only. The council cannot require this blue land to be included within the application site, ie to be used as part of the paddock land. However the proposals result in a combination of factors that together lead to the domestication of the blue land, contrary to national green belt policy as set out in PPG2. These factors include: the location of the plots immediately behind residential dwellings; the severance of the land from other agricultural land in the area; and the ownership of the land by the owners of the adjacent houses. It is unlikely that any requirement of the lease of the land would be sufficient to protect the land from domestication, which would be detrimental to the integrity and openness of the green belt.

A condition should therefore be attached to the current planning application to ensure that the land be used as orchards only. Whilst the proposed orchards are outside the application site section 70 of the Town and Country Planning Act 1990 confers power on local planning authorities, when granting planning permission, to impose "such conditions as they think fit." Though broad, the discretion is not unfettered. The courts have laid down general criteria for the validity of planning conditions. Further, the Secretary of State takes the view that conditions should not be imposed unless they are both necessary and effective and do not place unjustifiable burdens on applicants. Circular 11/95 lays down tests which conditions should satisfy. Section 72(1)(a) amplifies the general power. It makes clear that the local planning authority may impose conditions regulating the development or use of land under the control of the applicant even if it is outside the site which is the subject of the application.

5.0 CONCLUSION

5.1 The proposal accords with national planning policy in PPG2 and relevant policies of the City of York Local Plan Deposit Draft, subject to conditions including restrictions over the use of adjacent land under the control of the applicant.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the approved plans (un-numbered Block Plan received 13 September 2007 and un-numbered Location Plan received 20 November 2007) or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The paddocks hereby approved shall be used for the keeping of horses and/or ponies only and for no other purpose whether domestic or commercial.

Reason: In the interests of highway safety and the amenities of adjacent residential occupiers.

4 The paddocks hereby approved shall not be subdivided or sublet without the prior written approval of the local planning authority.

Reason: In the interests of highway safety and the amenities of adjacent residential occupiers.

5 The paddocks hereby approved shall be occupied by a total of no more than

six horses and/or ponies.

Reason: In the interests of highway safety and the amenities of adjacent residential occupiers.

6 Prior to the development coming into use, the crossing of the highway footway and the initial 15m of the vehicular access serving the site shall be reconstructed at a width of 6m to CYC standard detail STD1.1 and drained within the site.

Reason: To permit the simultaneous passage of vehicles within the site and to prevent the egress of water and loose material onto the public highway.

7 Prior to the development coming into use the areas used by vehicles, except the crossing of the highway footway and the initial 15m of the vehicular access serving the site, shall be surfaced in gravel or other unbonded material in accordance with details that shall have been previously submitted to and approved in writing by the local planning authority.

Reason: In the interests of visual amenity and the rural character of the immediate area.

8 The development shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

9 No part of the site shall come into use until the turning areas have been provided in accordance with the approved plans. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby ensuring the safe and free passage of traffic on the public highway.

10 Any gates shall be erected a minimum distance of 15m back from the carriageway of the existing highway and shall open into the site.

Reason: To allow a vehicle entering or leaving the site to stand clear of, and thereby avoid obstructing the public highway, in the interests of road safety.

11 No manure shall be stored within 50m of any residential dwelling.

Reason: In the interests of public health and the amenity of the occupiers of adjacent residential dwellings.

12 The stock-proof fencing shown on the un-numbered Block Plan received 13 September 2007 shall be provided in its entirety prior to occupation of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenities of adjoining occupiers.

13 The development shall not begin until full details of a hedgerow management plan have been submitted to and approved in writing by the local planning authority. The details shall include: (1) The alignment of any new boundaries to be established; (2) A plan of reinstatement of existing hedges and the planting of new hedges to include species and numbers to be planted and details of protective fencing to be erected; (3) Details of future hedgerow management; (4) The timing of all operations. The works shall be implemented in accordance with the approved details and timing unless otherwise approved in writing by the local planning authority.

Reason: To take account of and enhance the landscape and conservation interest of the site.

14 The land lying immediately to the west of the application site and shown outlined in blue on the approved plans shall not be incorporated into the domestic curtilage of those dwellings directly adjacent and co-terminus.

Reason: To maintain the openness and integrity of the green belt.

7.0 INFORMATIVES: Notes to Applicant

1. In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact on the green belt, neighbour amenity and highway safety. As such the proposal complies with PPG2, PPG7 and policies GP1 and GB1 of the City of York Local Plan Deposit Draft.

2. You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named: Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

3. If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

1. All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays.	

2. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

3. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

4. The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

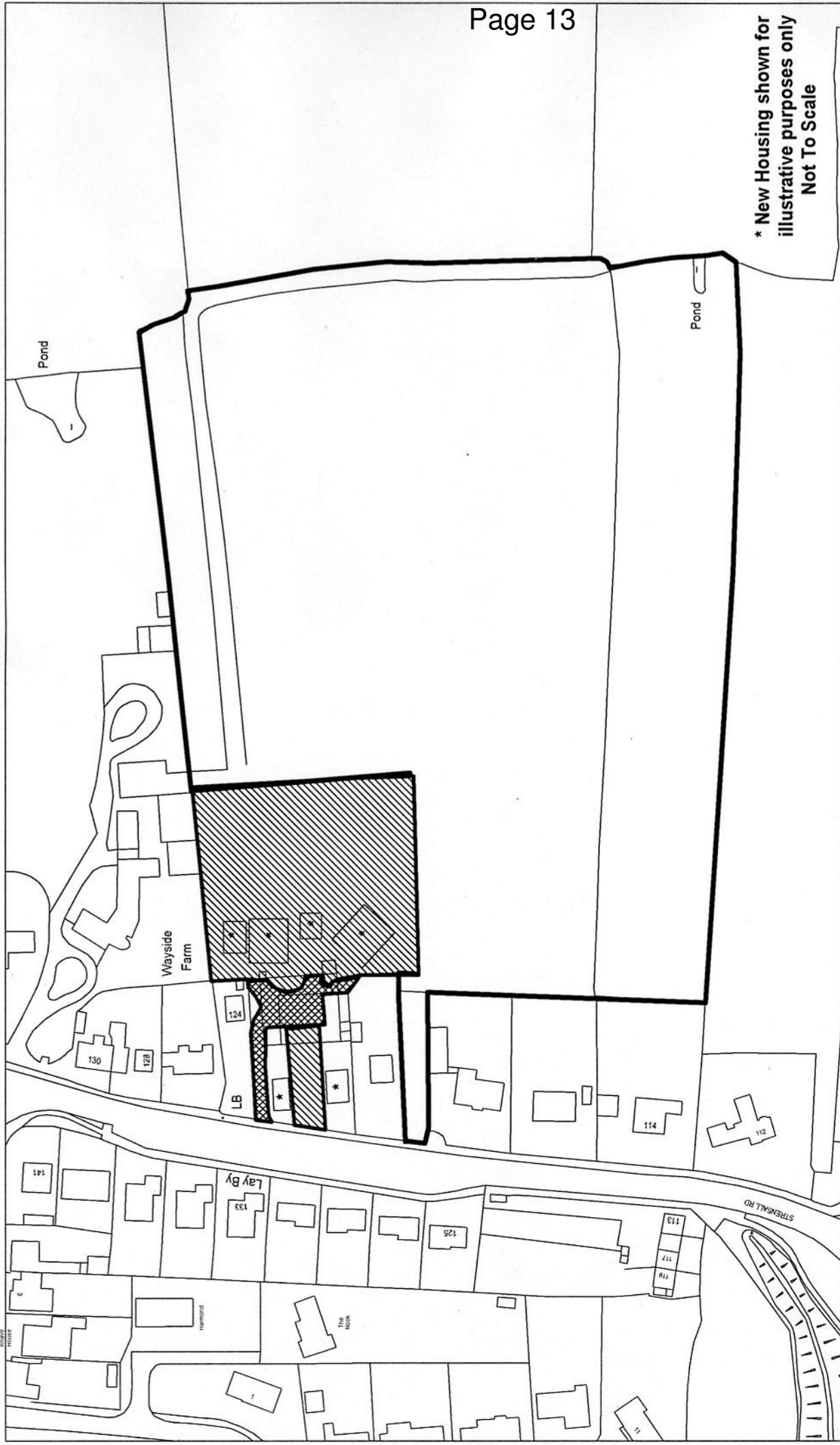
5. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

6. There shall be no bonfires on the site.

Contact details:

Author: Kevin O'Connell Development Control Officer
Tel No: 01904 552830

* New Housing shown for illustrative purposes only
Not To Scale



PROPOSED PADDOCKS, ILFORD HOUSE, STRENSALL ROAD, EARSWICK - 07/02194/FULM

SCALE: 1:1500
 DATE: 5/12/2007
 DRAWN BY: PSL
 Project:
 Drawing No: 0702194

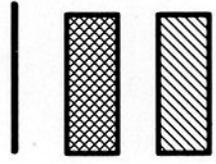


9, St Leonards Place, York, YO1 2ET
 Telephone: 01904 551550

Application Site

Shared Drive

Land under the Control of the Applicant



Produced from the 1993 Ordnance Survey 1:1250 mapping with the permission of the Controller of Her Majesty's Stationery Office.
 © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

This page is intentionally left blank

COMMITTEE REPORT

Committee: Planning Committee **Ward:** Rural West York
Date: 17 December 2007 **Parish:** Nether Poppleton Parish Council

Reference: 07/02315/REMM
Application at: Plot 8b Great North Way Nether Poppleton York
For: Reserved matters application for erection of 4no. two storey blocks comprising office/workshop units (B1, B2 and B8 Use)
By: Evans Easyspace Ltd
Application Type: Major Reserved Matters Application (13w)
Target Date: 27 December 2007

1.0 PROPOSAL

1.1 The applicant seeks reserved matters approval to erect 4 no. two storey office workshop units (B1, B2 and B8 Use). The applicant seeks approval for siting/design, layout, external appearance and landscaping.

1.2 Application 99/01777/OUT "Proposed Mixed Use Development comprising cycle and car park to proposed rail halt, business (B1), general industrial (B2) and storage or distribution (B8) uses. - Approved 01/04/2003 established the principal of developing Plot 8B (along with 2C, 8A, 8C, 9, 6A and 15) for the aforementioned Use Classes. Access from the main arterial roads (approved by app. 95/01591/OUT) to the aforementioned plots were also approved as part of the approved outline.

1.3 The proposal compliments existing, approved and other proposed uses within the site.

Relevant History

a) 6.116.164.Q.OUT (95/01591/OUT) - Outline Planning for Mixed Business, Commercial and Industrial Employment Park - Approved 27.02.96

b) 99/00238/OUT - Renewal of planning permission 6/116/164Q/OUT for a mixed business, commercial and industrial employment park.

Application 99/00238/OUT was considered to be invalid and resulted in an applicant appeal.

c) T/APP/C2741/A/99/1023645: Renewal of Outline Permission - "The appeal is allowed and planning permission granted in accordance with the terms of the application, and the plans submitted therewith, subject to the following conditions"

Condition ii of the above states "The permission hereby granted shall only be for development within Use Class B1, B2, B8 of the Schedule to the Town and Country

Planning (Use Classes) Order 1987 (or any order revoking or re-enacting that Order).

d) 99/01777/OUT - Proposed Mixed Use Development comprising cycle and car park to proposed rail halt, business (B1), general industrial (B2) and storage or distribution (B8) uses. - Approved 1st April 2003.

e) 06/00518/FUL - Variation of condition (i) of planning permission 99/01777/OUT (for proposed office/light industry/research and developments (B1), general industrial (B2), and storage or distribution (B8) uses) extend the time to the period for the submission of reserved matters application until 01.04.2013 - Approved 20th October 2006.

f) 06/02118/REMM - Erection of 8no. Two Storey Office Workshop Units - Approved 18.12.06.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYT4

Cycle parking standards

CYGP4A

Sustainability

CYGP1

Design

3.0 CONSULTATIONS

INTERNAL

3.1 York Consultancy (Drainage) - No Objections - Comments

* The proposed finished floor levels, relative to Ordnance Datum, should be provided to confirm that this development is above predicted flood levels.

3.2 City Development - No Objections.

* "The Development Control Officer must be satisfied that the proposal meets the requirements of the aforementioned policies. Further comments should be sought on

design, landscaping and from the highways department regarding access and parking standards."

3.3 Environmental Protection Unit - No Objections.

3.4 Highway Network Management - No Objections.

3.5 Design, Conservation and Sustainable Development - Awaiting the receipt of revised plans.

EXTERNAL

3.5 Environment Agency - No Objections

* "Subject to the finished floor levels being set above 11.8 m AOD (so being at least 600mm above the current predicted 1 in 100 year flood level in this vicinity)"

3.6 Nether Poppleton Parish Council - No Objections

4.0 APPRAISAL

KEY ISSUES

- * Policy Context.
- * Design/Layout.
- * Highway Issues.
- * Protected Species.
- * Landscaping.
- * Sustainability.
- * Drainage.

4.1 Policy T4 - Cycle Parking Standards states in all new developments, cycle parking provision will be required in accordance with the standards set out in Appendix E.

For B1 (business), A1 (shops), A2 (Financial and professional services) and A3 (food and drink) proposals in York City Centre, commuted payments will be required to make up for any shortfall in the provision of on-site cycle parking spaces.

4.2 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.3 GP4a - Sustainability: requires that proposals for development should have regard to the principles of sustainable development including accessibility of the development site by means other than the private car, contributing to the social needs of the community (including housing), high quality design, enhancing local character and making adequate provision for storage and collection of refuse.

DESIGN/LAYOUT

4.4 The scheme is designed around 4 detached buildings, with a mixture of office and workshop units. The individual buildings are a mixture between two storey and single storey, with the two storey element occupied by office units and the single storey areas occupied by workshop/storage areas. The proposed buildings are all two storey in design, the lower storey providing a minimum of 3m clear headroom appropriate for small scale workshop units. Sloping roofs characterise the office/workshop units and all units measure 8.1 metres in height (measured to the ridge). Floor spaces vary considerably between units 706.05 sq m (Block A), 877.92 sq m (Block B), 1068.38 sq m (Block C), 975.48 sq m (Block D).

4.5 There has been established at York Business Park a pallet of subdued colours, the aforementioned pallet has been retained as part of the application. To avoid a uniformity in elevations conditions will be included; requesting the written approval of all external materials.

4.6 The site will be accessed from Opus Avenue, which is accessed from the eastern junction of the White Rose Roundabout. The application site will be accessed using a non adoptable road linking individual units. The site has been divided into 3 cul de sacs all of which can be accessed from the aforementioned junction.

4.7 The service and access facilities are variable in terms of layout and provision. Frontage vehicular parking dominates across the site, however the applicants' have included some additional parking opposite and to the side of individual units. 65 parking spaces have been provided, 20 of which are for disabled users, the applicant has also provided 23 cycle hoops. Pedestrian routes have been incorporated within the design, to segregate from car parking and circulation routes. The individual pedestrian access is taken directly from the (to be) adopted highway.

HIGHWAY ISSUES

4.8 Issues relating to traffic generation have already been considered at the outline stage and therefore can not be considered as part of this application.

4.9 The internal layout in conjunction with the inclusion of relevant conditions meets the requirements of Highway Network Management.

PROTECTED SPECIES

4.10 Great Crested Newts have been found hibernating within the site, which suggests the presence of a small breeding population utilising the two ponds, surrounding scrub and grassland. Mitigation measures can be incorporated within

the site and in alternative locations in order to protect the population, however, as a protect species some additional survey work is required between March and July, which will impact significantly on building timetables.

4.11 As no habitat surveys were undertaken as part of the original outline approval, the applicants can not be required by condition to implement the aforementioned mitigation measures. However, it will be a statutory requirement of the developer to seek a Great Crested Newt Licence from Natural England, which will require suitable mitigation measures and procedures to be implemented prior to the commencement of works. Failure to satisfy the requirements of Natural England, will result in a licence not being granted and applicant being unable to commence works.

LANDSCAPING

4.12 A recent site investigation has shown the site to have some botanical interest. Assessments during the summer confirmed the presence of plants such as Canadian Fleabane, Yellow Wort, Common Century, Haresfoot Clover and Birdsfoot.

4.13 Any landscaping scheme must take into account the need to mitigate any impact upon the Great Crested Newts as well as contributing to other developed areas of the site. A suitable landscaping is currently been discussed with the wildlife and landscaping officers, copies of which should be available to members prior to or on the day of committee.

SUSTAINABILITY

4.14 An overarching aim of the City of York Development Control Local Plan (2005), is to achieve sustainable design and construction. Policy GP4a requires all developments to regard the principles of sustainable development. The environmental performance of both new and existing buildings is assessed using the Building Research Establishment's Environmental Assessment Method (BREEAM).

4.15 In this instance, requiring the applicant to submit a BREEAM assessment would not be lawful as no relevant conditions were attached as part of the outline approval. The outline application for Plot 8b was submitted in 1999 and granted approval in 2003, pre dating any policy requirements for the submission of BREEAM related documents.

4.16 GP4 "Sustainability" is however still relevant. Paragraphs D, E, G and I are all relevant in this instance and should be considered by the applicant, as part of the application.

d) be of high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City;

e) minimise the use of non renewable resources, re-use materials already on the site, and seek to make use of grey water systems both during construction and throughout the use of development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of the materials should be considered;

- g) conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife areas and room for trees to reach full growth;
- l) make adequate provisions for the storage and collection of refuse and recycling.

4.17 The applicant has submitted a sustainability statement, which considers the following :- landscaping, refuse/waste, building fabric, energy, lighting, heating and water saving and Very Good BREEAM standard is to be achieved.

DRAINAGE

4.18 The disposal of surface water, site drainage and compensation storage was previously dealt with under the Planning Application 6.116.164.Q.OUT (DCPEOUTZ 95/01591/OUT) approved 8th March 1996. The proposals were agreed with the Environment Agency and a scheme of works implemented in the summer of 1996.

4.19 The Environment Agency have been consulted regarding the applicants; proposals and have no objections subject to finished floor levels being set above +11.8m AOD (Ordnance Data). Plan 0975-23-200-B shows finished floor levels to be approx. +12.5 above Ordnance Data.

5.0 CONCLUSION

5.1 Cumulatively, the overall layout and design of this reserved matters application contributes to the workability and purposes of the York Business Park. Providing the applicant can demonstrate, a consideration for and a willingness to adopt sustainable practices as part of the development then the application is considered to meet Policies T4, GP1, GP4A and Appendix E "Car and Cycle Parking Standards" of the City of York Development Control Draft Local Plan.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

3 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 8.3 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any

such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

4 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to 08:00 to 18:00 Monday to Fridays, 09:00 to 13:00 Saturdays and no works at all shall be carried out on Sundays and Bank Holidays.

Reason: To protect the amenity of local residents during the construction of the development from noise.

5 No unit on the site shall be occupied until a Travel Plan has been submitted to and approved in writing by the LPA. The unit shall hereafter be occupied in accordance with the aims, measures and outcomes of such Travel Plan.

Reason: To ensure the development complies with advice contained in PPG 13-Transport, and in Policy T20 of the City of York deposit Draft Local Plan, and to ensure that adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with provision of parking on site for these users.

6 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the egress of water and loose material onto the public highway.

7 The development shall not be begun until details of the junction between the internal access road and the highway have been approved in writing by the Local Planning Authority, and the development shall not come into use until that junction has been constructed in accordance with the approved plans.

Reason: In the interests of road safety.

8 HWAY19 Car and cycle parking laid out

9 HWAY21 Internal turning areas to be provided

10 HWAY31 No mud on highway during construction

11 The design of all units shall be in accordance with the contents of the sustainability statement dated 01/11/2007 submitted by the applicants' agent under REF: AP/EA/1283-148 which will satisfy the requirements of Policy GP4a and aims to achieve a full BREEAM rating of "Very Good".

Reason: In the interests of sustainable development and Policy GP4a

12 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

- 1283-148 - 200 - Proposed Site Plan.
- 1283-148 - 201 - Block A Building Plan and Elevations.
- 1283-148 - 202 - Block B Building Plan and Elevations.
- 1283-148 - 203 - Block C Building Plan and Elevations.
- 1283-148 - 204 - Block D Building Plan and Elevations.
- A0 06E028/001 - Topographical Survey of Land at Plot B.

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

**7.0 INFORMATIVES:
Notes to Applicant**

1. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

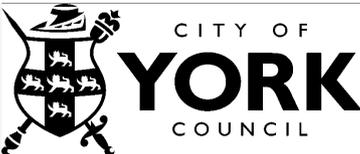
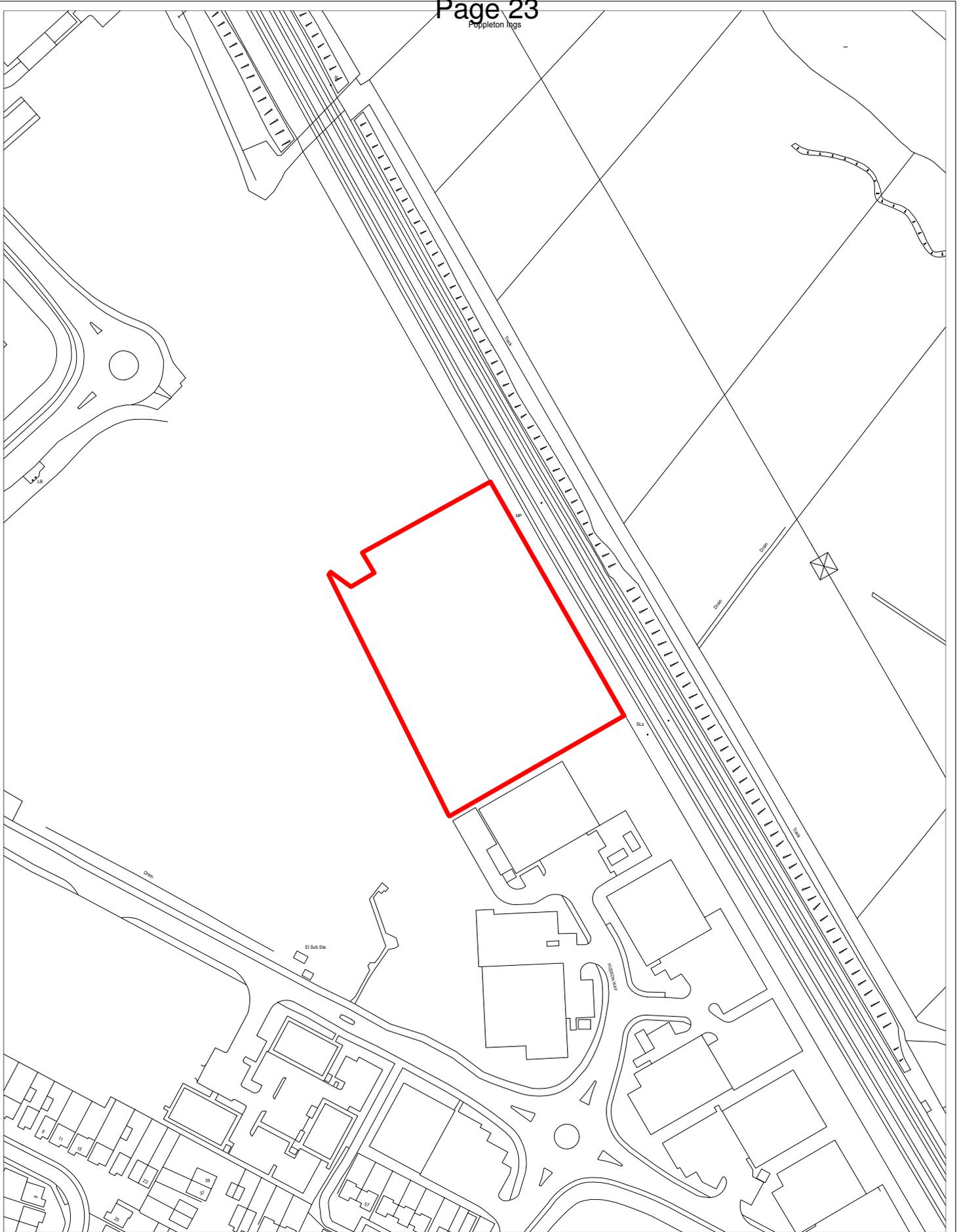
2. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity and highway issues. As such the proposal complies with Policies GP1, T4, GP4a of the City of York Development Control Draft Local Plan.

3. It is a statutory requirement of the developer to seek a Great Crested Newt Licence from Natural England, which will require suitable mitigation measures and procedures to be implemented prior to the commencement of works. Failure to satisfy the requirements of Natural England, will result in a licence not being granted and applicant being unable to commence works.

Contact details:

Author: Richard Mowat Development Control Officer
Tel No: 01904 551416



PLOT 8A - YORK BUSINESS PARK - 07/02315/REMM



SCALE 1:2000
Originating Group

DRAWN BY PSL
Project

DATE 6/12/2007
Drawing No.

This page is intentionally left blank



Planning Committee

17 December 2007

Report of the Director of City Strategy

THE NESTLE / ROWNTREE FACTORY CONSERVATION AREA APPRAISAL: RESULTS OF CONSULTATION AND PROPOSED FINAL DRAFT

Summary

1. This report presents the results of a public consultation exercise for the Nestlé/Rowntree Factory Conservation Area Appraisal and recommends that, following minor modifications, the document be adopted.

Background

2. A Conservation Area Appraisal is a document explaining the significance of an area, regarded as special and therefore worthy of protection. It depends upon an understanding of the place and it draws upon techniques of conservation-based research and analysis. An appraisal explains why an area is worthy of designation as a conservation area. It also provides a clear basis on which to formulate and evaluate development proposals. One of the objectives of this appraisal is to inform the redevelopment of the Nestle South site.
3. The draft appraisal was approved for consultation by Planning Committee on 27th September 2007.
4. The consultation exercise ran from the 5th October to 16th November 2007, and was facilitated by the Community Planning Team. Local ward councillors and relevant organisations were sent copies of the document, whilst a summary leaflet was delivered to 630 households near or within the proposed conservation area. Additionally copies of the document were placed in local venues including: 9 St Leonard's Place York reception, Central and New Earswick Libraries, the Joseph Rowntree Memorial Library and Haxby Road Post Office. The appraisal and summary leaflet were also published on the Council's website. The list of consultees is shown in Annex A and a map of the area of public consultation is shown in Annex B. The summary leaflet asked these specific questions:

'In your opinion does the Nestle Rowntree Factory have any other qualities not mentioned in this character appraisal summary?'

'Do you think the proposed boundary for the conservation area is correct? If not how do you think it should be changed?'

5. A list of responses is recorded in Annex C along with officer's specific comments. Of the organisations consulted 8 responses were received. The public consultation exercise produced 18 responses a reply rate of 2.9%.
6. Comments showed support for the protection of the area and suggestions were made regarding boundary changes in three areas: Yearsley Baths, the late C20th office block adjacent to the roundabout, and a line to the rear of the Cream Block. These issues are discussed below. In addition 4 consultees expressed concern about the retention of open areas and leisure facilities such as the playing fields, sports ground and the bowling green to the north, and then the cycle track along the former Foss Branch railway line to the south. Points of information received have also been given consideration.

7. Boundary Changes (Annex D)

York Civic Trust and the Conservation Areas Advisory panel made strong representations for inclusion of the whole of Yearsley Baths to be within the conservation area boundary. Following a further assessment on site a new boundary line has been proposed to the NE of the area. This would give protection to the whole of the building which houses the original pool and some of the original fittings. In any future phases of development it would be necessary to consider enhancement of the site which is adjacent to the River Foss and therefore close to the area being considered as part of phase 2 of the Foss Walkway strategy.

Two responses referred to the apparent incongruity of including the front block of the late C20th office building within the conservation area. The map on page 19 of the appraisal clearly marks the building as being detrimental to the area; therefore fears about constraining future development are unfounded. As the building is not considered to make a positive contribution to the area, its demolition would be supported if a scheme of greater merit were proposed in its place. Additional controls over this site are considered important as it is in a highly visible location, being forward of the other buildings in the vicinity, situated adjacent to the roundabout, terminating the prospect from Haley's Terrace, and fulfilling a screening role for the large sheds behind. Therefore no proposals have been made to change the boundary here.

The Western boundary of the Cream Block includes the full height extensions. It is proposed to amend the aerial photograph to be in accordance with plans.

8. Open areas to the North either side of Haxby Road

The playing fields and other open areas situated either side of Haxby Road and to the north of the Nestlé site are remote from the proposed conservation area. It would not be appropriate to include them in an area, which has a different character and coherence. The open spaces mentioned have a

variety of designations, which would protect their openness and use i.e. Green Belt, Open Space and Leisure. The former Foss Branch line is also designated, as Open Space and policy GP7 would give protection.

9. Additional information

Where points of clarification have been received it is proposed that they will be incorporated into the text. Please see Annex E where these are listed with other proposed amendments to the draft document.

10. Comments relating to the re-development of the site

Issues relating to the re-development of this site such as traffic generation and new uses are outside the scope of the appraisal. These matters are covered in the Nestle South Development Brief, which has been approved for development control purposes.

Consultation

11. No further consultation is envisaged, unless boundary changes are made.

Options

Option 1

12. Approve the Nestle Rowntree Factory Conservation Area Appraisal for planning purposes, with the changes suggested in Annex E of this report.

Option 2

13. Approve the Nestle Rowntree Factory Conservation Area Appraisal, for planning purposes, with further changes or fewer changes to those suggested in Annex E.

Option 3

14. Do not approve the Nestle Rowntree Factory Conservation Area Appraisal.

Analysis

Option 1

15. All responses have been given full consideration and proposed changes are set out in annex E with the map at annex D highlighting the proposed amendment to the boundary. It is considered that the consultation process showed support for the designation of the area as a conservation area. Minor amendments are proposed to the document as a result of the consultation exercise. With these amendments incorporated into the document it is considered that the appraisal would be a robust document, providing a sound basis for developing management proposals and also for making development decisions.

Option 2

16. Minor changes to the document could be made if supported by relevant arguments. Any other boundary changes would involve a further degree of consultation if they include areas not considered before. It is considered that the exercise so far has resulted in full consideration of the boundary.

Option 3

17. The document is a requirement of the Nestle South Development Brief. It is an objective assessment of the area based on guidance produced by English Heritage. Designation of a conservation area in this location and the production of an appraisal would assist the Local Authority in fulfilling its statutory obligations under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. There would appear to be no valid reason to resist the appraisal.

Corporate Priorities

18. The Nestle Rowntree Factory Conservation Area Appraisal will help improve the actual and perceived condition and appearance of the City, by providing a more informed basis for decision making.

Implications

Legal

19. Designation of a conservation area would impose obligations on the LPA under the Planning (Listed Buildings & Conservation Areas) Act 1990. Some permitted development rights would be removed from sites within the boundary.

Financial

20. Production of the document will be met by existing budgets.

Human Resources

21. No implications.

Equalities

22. Different formats of the finished appraisal will be made available.

Crime and Disorder

23. No implications.

Information Technology (IT)

24. No implications.

Property

25. No implications.

Other

26. No implication.

Risk Management

27. There are no risks associated with this report.

Recommendations

28. Members are asked to approve, for planning purposes, the Nestle Rowntree Factory Conservation Area Appraisal as proposed in Annex F and as amended by Annex E.

Reasons:

- The document is a thorough analysis of the character of the conservation area in accordance with current guidance from English Heritage. As a document it is clearly written and accessible to a wide range of users.
- The adoption of the document will help with formulation and determination of development proposals within the conservation area and adjacent to it. It will be of assistance in assessing redevelopment proposals for the Nestle South site.
- The consultation method and range has been in accordance with previous practice. Information and views of consultees have been carefully considered in the amendments proposed.

Contact Details

Author:

Janine Riley
Conservation Architect
Design, Conservation and
Sustainable Development
Directorate of City Strategy
01904 551305

Chief Officer Responsible for the report:

Bill Woolley
Director of City Strategy

Report Approved



Date 05/12/07

Specialist Implications Officer(s)

Legal : Martin Blythe, Senior Assistant Solicitor
Financial & Equalities : Report Author

Wards Affected

All



For further information please contact the author of the report

Clifton, Skelton Rawcliffe & Clifton Without, Huntington & New Earswick

Background Papers:

Nestle South Development Brief, City of York Council May 2007
Guidance on Conservation Area Appraisals, English Heritage Feb 2006
PPG15 Planning and the Historic Environment Sept 1994
Statement of Community Involvement Feb 2007

Annexes

Annex A: List of consultees
Annex B: Map showing area of public consultation
Annex C: Schedule of responses
Annex D: Map showing boundary changes suggested by consultees
Annex E: Suggested changes to the appraisal
Annex F: The Nestle Rowntree Factory York Conservation Area Character Appraisal, Consultation draft

17 December 2007

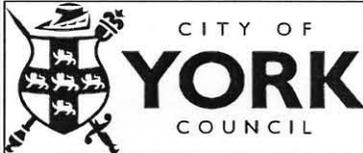
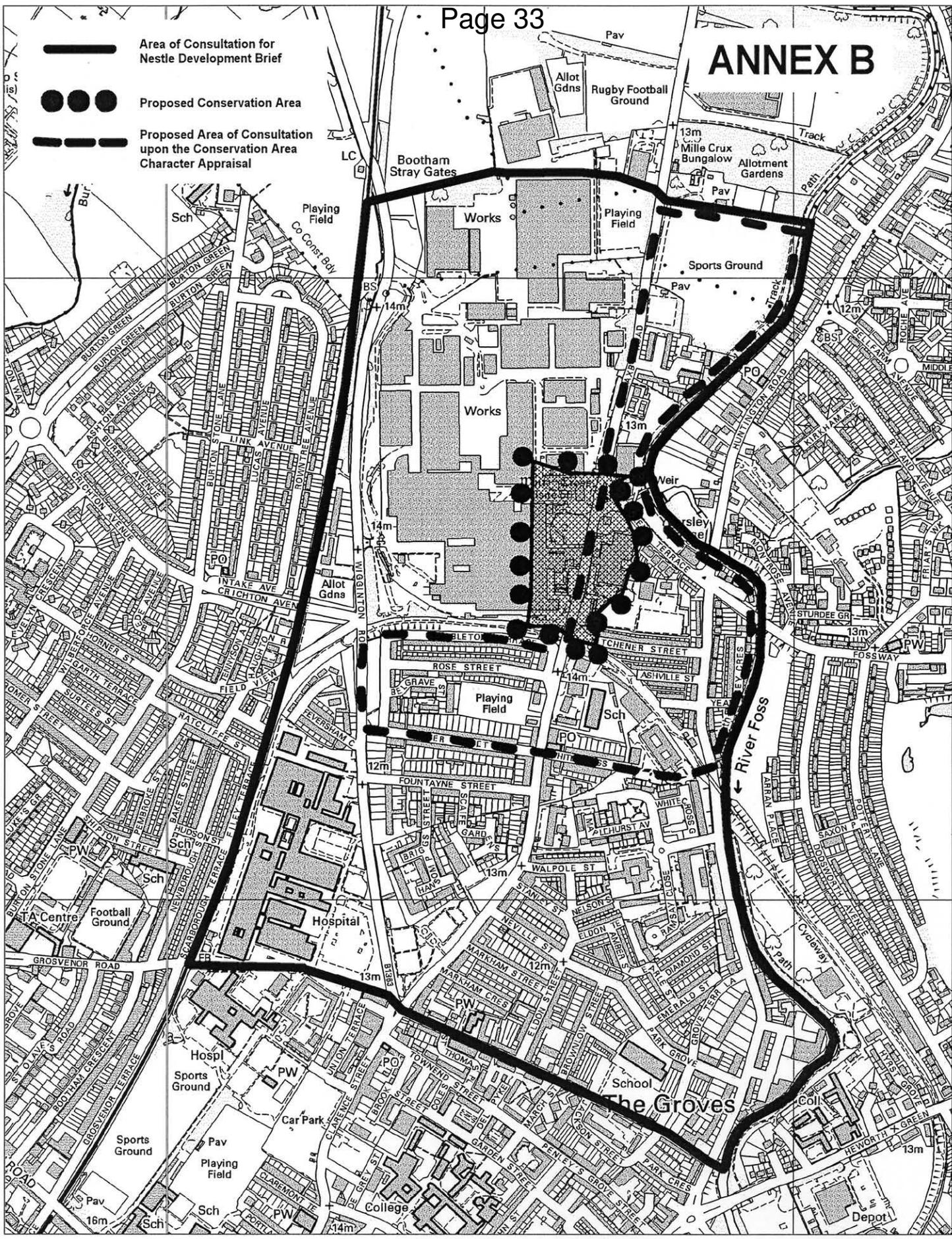
T:\Dev_Serv\GROUP\DCSD\JDR\Strategic Sites\Nestles\CACA Committee Papers - Dec

CONSULTEE LIST - THE NESTLE/ROWNTREE FACTORY CONSERVATION AREA CHARACTER APPRAISAL						ANNEX A	
NAME	POSITION	ORGANISATION	ADDRESS 1		ADDRESS 2	ADDRESS 3	
Cllr Douglas	Clifton Ward Member		City of York Council				
Cllr King	Clifton Ward Member		City of York Council				
Cllr Scott	Clifton Ward Member		City of York Council				
Cllr Moore	Skelton, Rawcliffe + Clifton WO Member		City of York Council				
Cllr Watt	Skelton, Rawcliffe + Clifton WO Member		City of York Council				
Cllr Waudby	Skelton, Rawcliffe + Clifton WO Member		City of York Council				
Cllr Hyman	Huntington + New Earswick Member		City of York Council				
Cllr Orrell	Huntington + New Earswick Member		City of York Council				
Cllr Runciman	Huntington + New Earswick Member		City of York Council				
Mr G A Cheetham	Clerk	Clifton Without Parish Council	11 Briergate	Haxby	York	Y032 3YP	
Mrs F M Nicholson	Clerk	New Earswick Parish Council	40 Park Avenue	New Earswick	York	Y03 4BD	
Mrs M Knaggs	Clerk	Clifton Planning Panel	69 Kingsway North		York	YO30 6JQ	
Mr Ian Mckinlay	Site Facilities Officer	Nestle & Partners	Nestle Rowntree	Haxby Road	York	Y09 11XY	
Ms Alison Fisher		English Heritage	Yorkshire Area Office	37 Tanner Row	York	Y01 6WP	
Sir		Council for British Archaeology	St Mary's House	66 Bootham	York	Y030 7BZ	
Sir	Coordinator	Twentieth Century Society	70 Cowcross Street		London	EC1M 6EJ	
Alison Sinclair	Chair	York Open Planning Forum	25 Norfolk Street		York	Y023 1JY	
Verlie Riley		Conservation Area Advisory Panel	City of York Council				
Cedric Dennis	Assistant Director	Joseph Rowntree Trust	The Homestead	40 Water End	York	Y030 6WP	
Dr G Woolley	Chair	CPRE (York and Selby District)	Woodstock House	Church Street	Barkston Ash	Tadcaster LS24 9PJ	
Mr Steve Roskams		York Archaeological Forum	Dept. of Archeology	University of York	Kings Manor	Y01 7ED	
Mr P Brown	Director	York Civic Trust	Fairfax House	Castlegate	York	Y01 9RN	
Mr Ivan Martin		Yorkshire Architectural and York Archaeological Society	6 Manor Park Grove	Rawcliffe	York	Y030 5UE	
Mr N Long	Headteacher	Haxby Road Primary School	154 Haxby Road		York	Y031 8JN	
Gillian Cruddas	Chief Executive	York Tourism Bureau	City of York Council				
Sir		Yorkshire Tourist Board	312 Tadcaster Road		York	Y024 1GS	
Len Cruddas	Chief Executive	York & NY Chamber of Commerce	Arabesque House	Monks Cross	Huntington	Y032 9WN	
Dave Stevens	Area Manager	Sustrans	The Rotunda	New Station Street	Leeds	LS1 4DT	
Judy Jones	Heritage Advisor	Yorkshire Waterways	Fearns Wharf	Neptune Street	Leeds	LS9 8PB	
Martin Grainger	Principle Forward Planning Officer	CYC City Development	City of York Council				
Derek Gauld	Principle Development Officer	CYC City Development	City of York Council				
Esther Prestley	Landscape Architect	CYC DCSD	City of York Council				
John Oxley	City Archealogist	CYC DCSD	City of York Council				
Simon Glazier	Area team Leader (East)	CYC Development Control	City of York Council				
Nicki Terry	Clifton Ward Neighbourhood Pride officer	CYC Neighbourhood Pride	City of York Council				

This page is intentionally left blank

ANNEX B

-  Area of Consultation for Nestle Development Brief
-  Proposed Conservation Area
-  Proposed Area of Consultation upon the Conservation Area Character Appraisal



CONSERVATION AREA CHARACTER APPRAISAL PUBLIC CONSULTATION

SCALE 1:8000
Originating Group

DRAWN BY PSL
Project

DATE 5/9/2007
Drawing No.

NSCAA



9, St. Leonards Place, York, YO1 2ET
Telephone: 01904 551550

Produced from the 1993 Ordnance Survey 1:1250 mapping with the permission of the Controller of Her Majesty's Stationery Office
© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

City of York Council LA 1000 20818

This page is intentionally left blank

ANNEX C Schedule of Responses to Nestle Rowntree CACA Consultation (5/10/07 – 16/11/07)

Residents Responses				
No	Q1 – qualities not mentioned?	Q2 – boundary correct?	Officer Response	Address
1	As an employee of Nestle for 20 years and a resident of Haxby Road, I very much agree with the proposal for a conservation area.	Do you know if there are any proposals for the fields along Haxby Road leading to New Earswick? It would be great if the fields and trees were retained as much as possible.	Support Noted. Open areas to the north of the factory are protected by various policies: Green belt, Open Space, Leisure.	Karen Holden 10 Bowling Green Court Haxby Road York YO31 8FZ karen.holden@uk.nestle.com
2	It is pleasing to see that a small conservation area is being introduced to protect part of the Rowntree site, especially as it contains two grade II listed buildings.	If the developer is likely to demolish the majority of the buildings then why keep the Almond Block Extension and the Cream Block. They do create a skyline and will block light to the rest of the site. However, if the developer intends to convert the buildings then of course preserving their character will be important. Personally, I would rather they were all knocked down as I do not think they are pleasant to look at.	Comment Noted	Nic Miller 44 Hambleton Terrace York YO31 8JJ pitakanda@hotmail.com
3	Your excellent summary appears to fully cover the matter.	We are not aware of any need to change the proposed boundary.	Support Noted	Val & Les Caldwell 18 Bowling Green Court York YO31 8FZ
4		Question - Will the volume of traffic be increased between the railway bridge and Haley's Terrace roundabout resulting in more traffic congesting the terrace?	Conservation area designation would not affect traffic. It is a recognition of the special qualities which already exist.	Mr Bryan Riddle 10 Haley's Terrace Huntington Road York YO31 9SB
5	Yes it employs so many people still and should be left as it is. Concentrate more on the jobs that some people still have, try to concentrate on saving them.		This is a matter covered by the Nestle South Brief which seeks to guide redevelopment	
6	Nothing mentioned about the underground lake reached by ram pumps and used for cooling machinery. The stone used for dipping money during the Black Plague.		No reference has been found to these issues in our source material and on site research	K Stockwell 141 Huntington Road York YO31 8RU

7	A good appraisal, I thought.	At the north west corner, the boundary appears to include the modern office block standing there - that seems incongruous.	The office block is considered to be a negative factor within the conservation area (See page 19). It is in a highly visible location and any future redevelopment proposals should seek to improve this aspect.	Mr N Cryer 23 Hambleton Terrace York Y031 8JJ
8		Will the west side of the cycle/ex railway track up to Wigginton Road Bridge be retained? If it were to be removed, our outlook would be entirely different - we bought the house because of the front outlook.	This area is designated as open space and it is protected by policy GP7.	Jane Guyer 41 Hambleton Terrace York Y031 8JJ
9	Historical, environment and social qualities are adequately covered and hopefully will be adhered to.	More included is possible.	Noted.	Mrs F Dewar 126 Huntington Road York Y031 8RT
10	Your assessment is about right.	OK	No comment.	Mrs B Bailey 7 Hambleton Terrace York Y031 8JJ
11		It should enclose the entire swimming pool and playing fields.	The area has been reassessed and it is proposed to include the whole of the baths and its site within the conservation area	David Wood Motorcycles 25-26 Haley's Terrace York Y031 8SB 01904 633000
12	I do not know the correct name for the section of building I mention, but I consider it a pleasing architectural sight. The building looks onto Hambleton Terrace from approximately No. 5 to No. 40-45, looking across the cycle track west of Haxby road.	The factory building above has strength and dignity and I think deserves conserving.	Conservation area legislation seeks to protect areas of special quality, not usually individual buildings. All factory buildings have been assessed by English Heritage for listing. Other areas behind the frontage buildings have less integrity and buildings have been adapted.	Elizabeth Hartley 66 Rose Street York Y031 8JF
13	I am pleased that the old buildings are to be included, along with the railway bridge, clocks and trees. Including the cherry blossom trees along side the car park in Haley's Terrace.	Yes I think this area is good for conservation.	Support Noted	Ms V Parker 181 Haxby Road York Y031 8JL

14	I think it is a good area to become a conservation area, and hopefully any development around the area will be of good quality and in keeping with the existing properties. Particularly with the architecture of White Cross Villa.	Alright	Support Noted	Mr G Parker White Cross Villa 17 Haleys Terrace York YO31 8JL
15	1. The use of the JR Library is now in doubt? 2. The Rolls of Honour should be housed/displayed somewhere in the area or Nestle South development.	I would have liked the Rowntree Bowling Green to have been part of the scheme - even as an " appendix" - it is an amenity which ought to be preserved.	The library has recently been listed at grade 11. Any future proposals should take account of its special architectural and historic interest. This applies to the inside, outside and setting of the building.	Neil Moore 3 Acacia Grove Haxby York YO32 3ZU
16	Having read the leaflet on the appraisal of the Nestle Rowntree Factory conservation area, I would like to support the proposal to protect those buildings of special interest listed in the document. I am surprised that there is no mention of the Mille Crux sports facilities - this is both a beautiful open green parkland and an excellent sports ground, with mature trees lining the Foss. It is also another symbol of the Rowntree philosophy which provided lovely surroundings and local amenities for their workers and the local community.	I would like to see the conservation area include the bowling green and the rest of the Mille Crux grounds.	These areas are remote from the conservation area and they have a different character. They would be protected under several policies such as Green Belt, Open Space and Leisure.	Sue Draper sue@whiterosechiroprody.co.uk
17	The Dining Block might justify more explanation of its function in social/welfare terms for existing/retired employees and its later use as a dedicated training centre.	The Conservation Area should be extended westwards to include low-rise office buildings and perhaps Block 30, some of which have distinctive interiors. The triangular open area south of Block 30 should also be included.	Conservation area legislation seeks to protect areas of special quality, not usually individual buildings. All factory buildings have been assessed by English Heritage for listing. Other areas behind the frontage buildings have less integrity and buildings have been adapted	R. Healey 6 Howard Drive York YO30 5XB

18		Everything seems fine, I think White Cross Villa should be listed, I am 94 years old and have remembered all life. Many friends think so to.	The villa is considered to be of positive value to the area and it would be protected from demolition and unsuitable external alteration by being in the conservation area.	Miss Florence Blark 11 Kitchener Street York YO31 8RZ
----	--	--	---	---

Consultee Responses

1	Thank you for seeking Yorkshire Forward's comments on the Nestle Rowntree Factory York Conservation Area Character Appraisal. However we do not have any comments to make.	No Comment	Yorkshire Forward
2	Thank you for forwarding us a copy of the above appraisal for comment. We would support, in principle, the recommendation that some of the most significant and best known buildings and features of The Nestle Rowntree Factory site should be conserved and, as such, the area be designated a new conservation area.	Support Noted	Yorkshire Tourist Board
3a	<p>Natural England welcome the process the City of York Council is taking in the Conservation Areas within the City of York and the thorough public consultation that is being undertaken throughout this process. We would recommend that consideration is given to sustainable sourcing of building material and a suitably worded objective within the Checklist be added to encourage sustainability in the sourcing of materials.</p> <p>Natural England believes that all development should be of a high quality design, not only in terms of aesthetics, but also in ways by which it incorporates the full range of sustainable development objectives, i.e., economic, social and environmental. The City of York Council may find the following documents useful in supporting the Conservation Area Character Appraisal process. We propose that development should be good enough to approve, not bad enough to refuse. The 'New Vernacular' approach advocates the development of new buildings that re-connect their design and construction with the environment. It promotes innovative, sustainable, high quality buildings that enhance local character and respect their context. The key principles of sustainable development are identified as:</p> <ol style="list-style-type: none"> 1. Energy 2. Materials 3. Flexibility 4. Quality 5. Environment 6. Community <p>For our publication 'Towards a New Vernacular' please see link below: http://www.countryside.gov.uk/Images/NVRReport%2014_tcm2-20906.pdf</p>	Comments are noted, though these issues are for consideration under the Nestle South Brief. The points raised in item 3c have all been considered within the existing appraisal (vistas, landscape etc)	Natural England

3b	<p>Natural England has also co-funded research by the Town and Country Planning Association, who have produced guidance on how to maximize the opportunities for biodiversity in the planning and design of sustainable communities. The guide takes the user through the design process, presenting a toolkit of best practice that can be tailored according to the scale of the development opportunity. For a PDF version of this guide please see link below: http://www.tcpa.org.uk/downloads/TCPA_biodiversity_guide_lowres.pdf Other useful guidance on sustainable building design includes Planning Policies for Sustainable Building – Guidance for Local Development Frameworks, which emphasizes the important role the planning process, has in raising environmental concerns at an early stage and the opportunity to influence design in reducing the environmental impact of the built environment. For a PDF version of this document please see link below: http://www.lga.gov.uk/download.asp?path=/Documents/Publication/planning%20policies%20complete.pdf.</p>		Natural England
3c	<p>We would recommend that considerations to access routes be included and a suitably worded objective within the checklist be added to ensure new development takes account of historic street patterns and built form whilst encouraging improved linkages and accessibility. The Conservation Area Character Appraisal should also ensure that valued views and vistas are protected and ensure the siting of new development takes these into account. The Conservation Area Character Appraisal process and the subsequent Supplementary Planning Document may also benefit from inclusion of the wider Landscape Character Assessment. Landscape Character Assessment provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating change as planning proposals are developed. For further information please refer to Countryside Agency and Scottish Natural Heritage (2002) Landscape Character Assessment: Guidance for England and Scotland (CAX 84). This guidance document can be downloaded from the following link: http://www.countryside.gov.uk/Images/LCA_Guidance_tcm2-19316.pdf.</p>		Page 39
4a	<p>These comments on the Character Area Character Appraisal (CACA) are made on behalf of Nestle UK. Nestle UK accepts the general rationale for the designation of a Conservation Area but has concerns over a number of details.</p>	4a) Acceptance noted.	Nestle UK
4b	<p>Paragraph 2.4 White Cross Villa was also owned by Rowntree and used for many years as an office; the railings at the boundary of the property are similar to those around the factory complex due to this connection.</p>	4b) p4 para 2.4 has been amended to acknowledge this fact.	
4c	<p>Paragraph 4.2 It is understood that the listing of the Joseph Rowntree Library has been confirmed.</p>	4c) p12 para 4.2 has been amended accordingly.	
4d	<p>Paragraph 4.7 It will only be the trees in the Conservation Area that will be given a degree of protection, not all planting.</p>	4d) p12 para 4.7 has been amended to reflect this.	

4e	Paragraph 4.13 The western boundary of the Conservation Area should be aligned with the rear face of the Cream Block.	4e) the aerial view has been amended so that all images and plans correspond.	Nestle UK
4f	Paragraph 4.19 We do not agree that part of Building 86 (multi-storey office built within the last 40 years) should be included in the Conservation Area. It has very little architectural merit and would not make a positive contribution to the special character of the area. The inclusion of half of this building in the Conservation Area would be difficult to manage and may unreasonably constrain future improvements to the factory complex. We would urge the City Council to realign the Conservation Area boundary to run along the north of the ornamental garden to Haxby Road, perhaps including the main Haxby Road entrance. With this realignment any future development on the site of Building 86 could be adequately controlled as it would be assessed as affecting the setting of the Conservation Area -there would need to be a demonstrable argument that new development would enhance the overall setting of the Conservation Area.	4f) It is agreed that the office block (building 86) is of little architectural merit and it has been noted on p19 of the appraisal that the building is considered detrimental to the character and appearance of the area. The building has high visual presence within the area and is the focal point to the vista from Haley's Terrace. The building also fulfils a screening function for the areas behind. It is therefore important to have a high degree of control over this site in any future redevelopment proposals.	
4g	It is respectfully requested that those comments are taken into account and that the boundary is realigned before designation of the Conservation Area is confirmed.		
5	Thank you for inviting comments from CPRE on the above noted Character Appraisal. We have considered the document and commend it for approval.	Support Noted.	CPRE

6	<p>The York Civic Trust has examined the proposal for the designation of a small Conservation Area located between the Haxby Road railway bridge in the south, and to the north of the Haxby Road roundabout with its junction with Haley's Terrace. This is considered to be a well researched document which successfully justifies the designation of this area as a Conservation Area, and the York Civic Trust welcomes this initiative. The only point to note is that members felt that the whole of Yearsley Bridge Baths might be included and not just the southern facade. In support of this suggestion it was noted that the whole of the former Dining Block (and is now the Nuffield Hospital) lacks the qualities that might have been expected if that site had been designed as a Conservation Area at the time of it's conversion. With this suggestion, the York Civic Trust supports this proposal.</p>	<p>Support Noted. The area of the swimming pool has been reassessed and it is proposed to include the whole of the baths and its site within the conservation area.</p>	<p>York Civic Trust</p>
7	<p>I thank you for your letter of 5th October and the attached documents. These were submitted to the Parish Council last evening and were received with interest. The Parish Council wish to support the idea of this proposed conservation area. The Parish Council would like you to consider a view carefully suggested by this Council, many of whom are lifelong residents of the city. That is, that the Haxby Road facade be included as being of historical value to the city architectural heritage.</p>	<p>Support Noted. As the buildings along Haxby Road would be retained the facades would also be protected</p>	<p>Clifton (Without) Parish Council</p>
8a	<p>As you know, the Conservation Areas Advisory Panel received the draft Appraisal and proposal for the Nestle Rowntree conservation area at our meeting on 6 November. The Panel were very supportive of the document which they regarded as exemplary and a model for others which might follow. They also agreed largely with the proposed boundaries of the conservation area but had one amendment to suggest.</p>	<p>Support Noted. In response to comments the area has been reassessed and it is proposed to include the whole building and its site within the conservation area.</p>	<p>Conservation Areas Advisory Panel</p>
8b	<p>This is that the whole of the Yearsley Baths should be included within the conservation area and not just the frontage building (para. 4.18). It is not clear why the main building is being excluded, other than the comment in the draft to the effect that the main bulding was currently being rebuilt. Panel members consider there would be good reasons for including the whole building. The first is that the whole Baths has been nominated for inclusion on the List of Buildings of Local Interest and Importance. Those who nominated the building and who contributed to consultations on its renovation, agrued successfully for the retention of existing changing facilities which they valued. The fact that the List has not yet been adopted by the Council does not invalidate the Baths nomination for the List, and in fact their inclusion in the proposed conservation area would be compatible with the comment in para. 4.6 of the document that " the area can be used to protect unlisted buildings for local interest".</p>		
8c	<p>Lastly, over the years, there have been difficulties from time to time with planning applications affecting sites partly within conservation areas which have been divided by the inappropriate location of the conservation area boundary.</p>		
8d	<p>I apologise that this letter will be a little late for the consultation period for the Appraisal but hope it will be possible to act on our suggestion before the conservation area is finalised and adopted.</p>		

This page is intentionally left blank



9 St. Leonard's Place, York, YO1 2ET. Telephone: 01904 551550

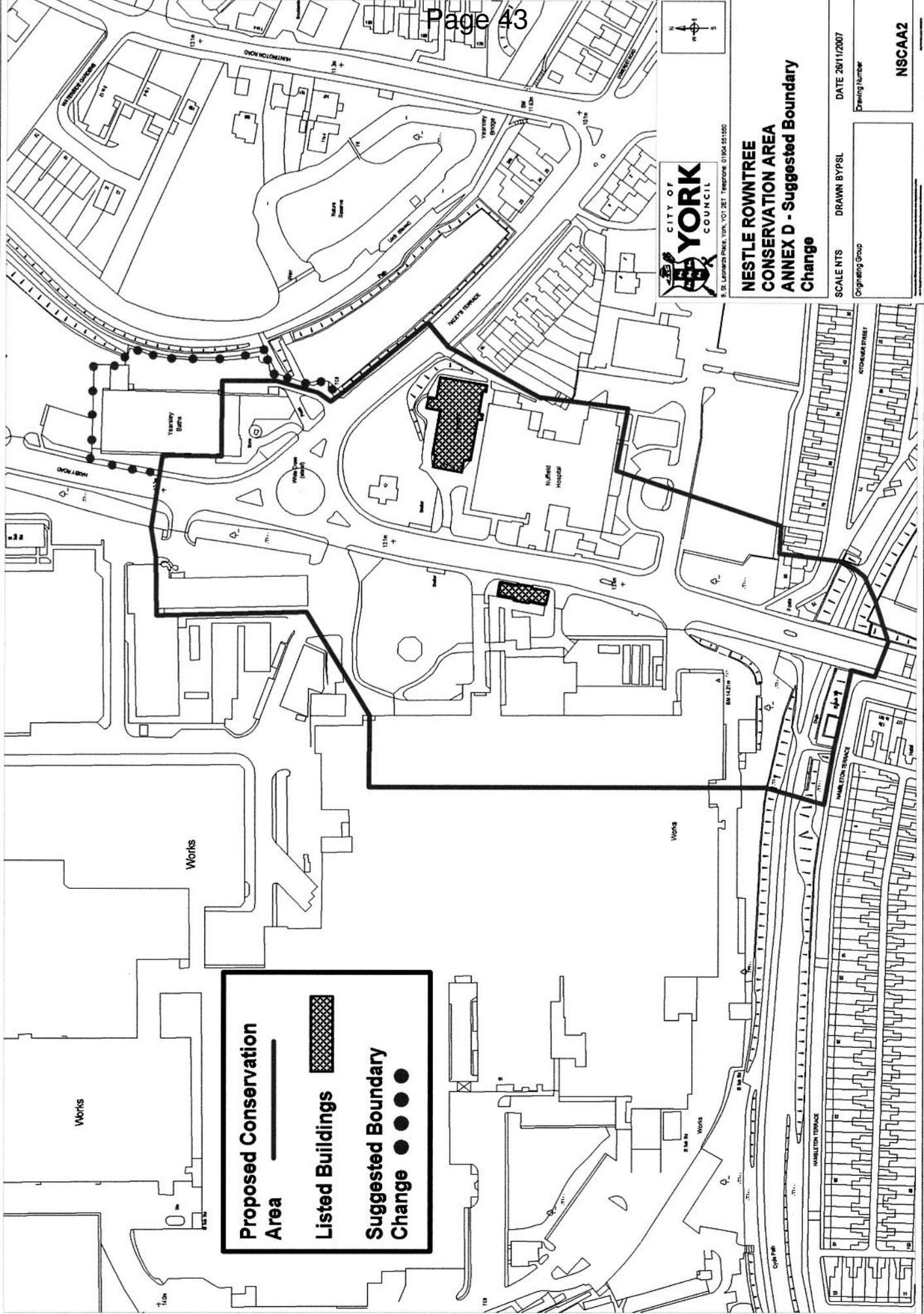
NESTLE ROWNTREE CONSERVATION AREA ANNEX D - Suggested Boundary Change

SCALE NTS DRAWN BY/PSL DATE 26/11/2007

Originating Group

Drawing Number

NSCAA2



Proposed Conservation Area 

Listed Buildings 

Suggested Boundary Change   

This page is intentionally left blank

ANNEX E

Rowntree / Nestlé proposed conservation area.

Suggested revisions to draft report.

Page 4 Para 2.4: To read '*Outside the factory limits, on the east side of Haxby Road, are a number of significant buildings once owned by or related to the factory but now in different ownership: these are (from south to north) the Nuffield Hospital (originally the factory Dining Room), the Grade II Listed Joseph Rowntree Theatre, **White Cross Villa**, and the Yearsley Baths*'.

Page 8 Para 3.11 second and third sentences to read '*In 1909 the Yearsley Baths (originally open-air) were built by the company and gifted to the city for public use; **as well as the frontage building the original pool survives within its recent modern enclosure. In 1921 Rowntree Park was created and gifted to the city and, as a separate venture, Joseph Rowntree founded the garden village at new Earswick....***'

Page 11 Aerial view: (the whole of the Yearsley Baths building to be shaded as a building of significance, not just the frontage.)

Page 12 Para 4.2: to conclude '*as a result of which the Joseph Rowntree Memorial Library **is now** listed (Grade II)*'.

Page 12 Para 4.7: second sentence to read '*Any trees within the conservation area would be **protected, and planted areas would be subject to greater control**, but any trees outside the conservation area could be preserved by Tree preservation Orders*'.

Page 13 Aerial view: (the proposed conservation area boundary to the west of the Cream Block will be revised to match the boundary shown on the aerial view on Page 14.)

Page 14 Aerial view: the conservation area boundary will be revised to include the whole of the Yearsley Baths building and the car park to the east.

Page 15 Para 4.18: final sentence to read '*To the northeast the area would include **the Yearsley Baths and carpark, including the White Stone to the front.***'

Page 19 Plan: the conservation area boundary will be revised to include the whole of the Yearsley Baths building and the car park to the east.

Page 22 Para 7.2: to finish '*together with other buildings on Haxby Road of historic **and cultural** importance*'.

This page is intentionally left blank

THE NESTLE / ROWNTREE FACTORY YORK



CONTENTS

1	INTRODUCTION	Page 2
2	LOCATION AND CONTEXT	Page 3
3	HISTORICAL DEVELOPMENT	Page 5
4	THE PROPOSED CONSERVATION AREA	Page 12
5	CONSERVATION AREA APPRAISAL	Page 16
6	FUTURE MANAGEMENT SUGGESTIONS	Page 20
7	SUMMARY	Page 22

The proposal to create a new Conservation Area in York, centred on one of the oldest sections of the Nestlé / Rowntree factory, has been produced prior to the vacation and release for redevelopment of the southern part of the factory site, which lies roughly 1.5 km north of York city centre between Haxby Road and Wigginton Road. Together with other documents produced by the Council it aims to guide the future use and management of the site, as well as identifying for preservation and enhancement an area of the city which is of considerable social and architectural value.

The document has been prepared by Lindsay Cowle (Conservation Consultant) on behalf of York City Council, drawing on an historic building report for the Nestlé / Rowntree factory prepared by Hall Grey (architects) in 2006. The format and initial content were agreed with the Design, Conservation and Sustainable Development Section of the Council, and the document was approved by City of York Council on 7 August 2007.

I INTRODUCTION

- 1.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to designate as conservation areas “areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”.
- 1.2 Section 71 of the same Act requires local planning authorities to formulate and publish proposals for the preservation and enhancement of conservation areas and to submit them for consideration by the general public. Following designation, under Section 72 of the Act the planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 1.3 The Nestlé / Rowntree factory (originally known as the Rowntree and later Rowntree / Mackintosh factory) has been a major source of employment and income for the city for many years, as well as a visual landmark. The factory intends to vacate the southern part of its site, including some of the oldest and most prominent buildings, and the Council has prepared a Development Brief to guide the re-development of the site. English

Heritage has also assessed the buildings for possible ‘listing’. In parallel with this, it is considered that one area centred on Haxby Road, and including buildings in other ownerships, might justify designation as a conservation area.

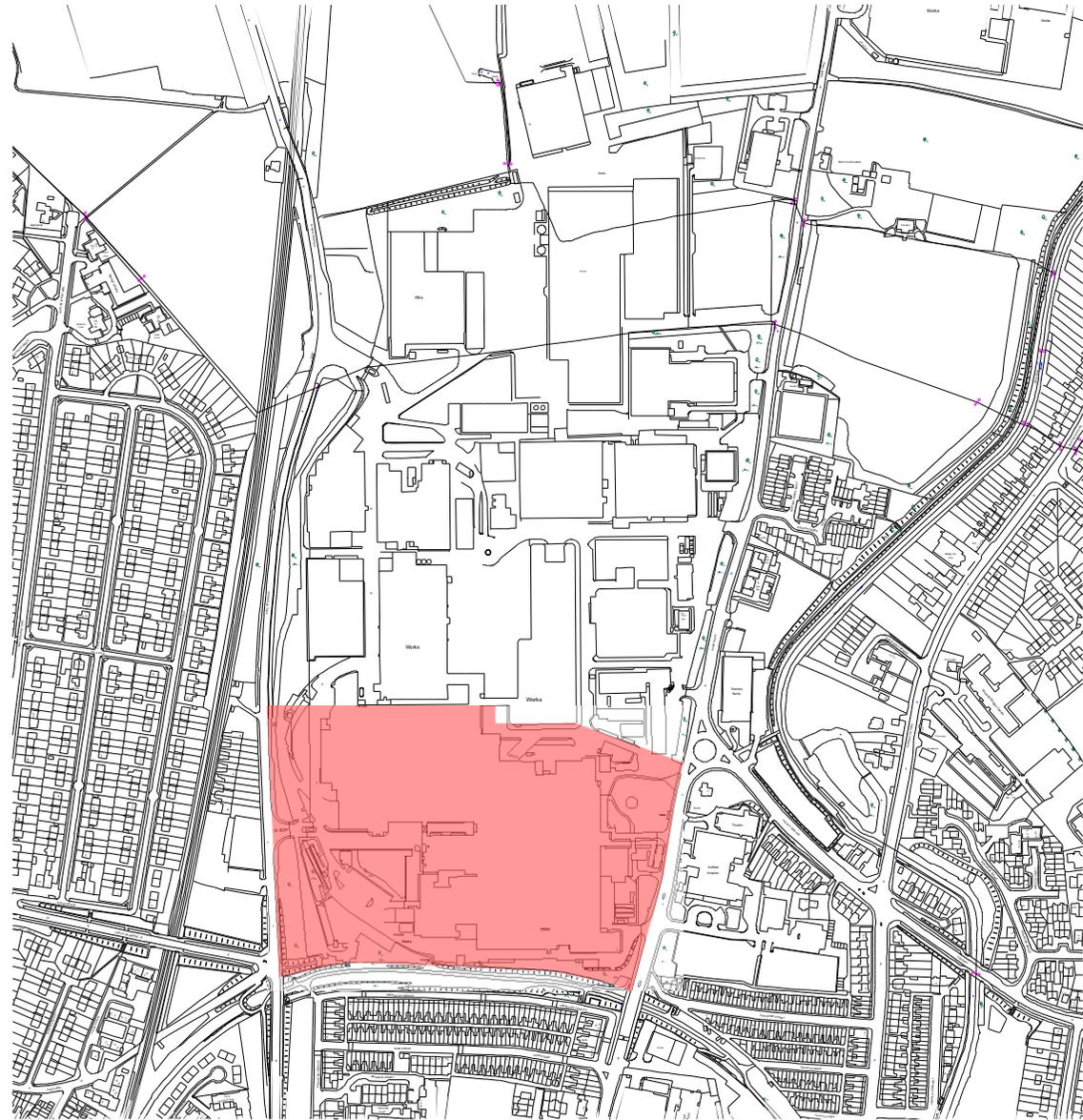
- 1.4 This document examines the potential for designating a new conservation area, first considering the history and social value of the area, and then identifying an area suitable for designation (Sections 2-4). Finally, Sections 5-6 provide a character appraisal of the proposed area and identify opportunities for its enhancement.



Haxby Road Factory Clock

2 LOCATION AND CONTEXT

- 2.1 The Nestlé / Rowntree chocolate factory is located roughly 1.5 km north of York city centre between Wigginton Road (to the west) and Haxby road (to the east), which are radial roads leading out of the city. It is bounded to the south by the Sustrans Foss Island cycle route, which is a former branch line of the old North Eastern Railway, beyond which are Victorian terraced houses. To the north of the site the company sports fields and allotment gardens open out into Green Belt countryside.
- 2.2 The site is relatively flat with only a slight fall southwards towards the city centre, but the southern part is elevated above the old railway cutting and the topography has been remodelled to raise the main roads to cross the railway by bridge. There is a mixture of building types on the site, reflecting the long evolution of the factory. They are set in a distinct rectilinear pattern and are generally utilitarian, designed for production purposes. The earliest buildings are to the south of the site and the most recent development to the north, away from the city centre.



Plan of Nestlé Rowntree site with area for redevelopment shown coloured

2.3 Mature trees, railings and ornamental planting around the edge of the site form a strong boundary, reducing the impact of the large factory buildings within and giving the impression of a factory within a landscaped setting; however, there is very little landscaping or planting within the complex itself. The site entrances are given a formal setting with ornamental planting, and are marked by a variety of structures such as free-standing clocks and security points.

2.4 Outside the factory limits, on the east side of Haxby Road, are a number of significant buildings once owned by or related to the factory but now in different ownership: these are (from south to north) the Nuffield Hospital (originally the factory Dining Block), the Grade II Listed Joseph Rowntree Theatre, and the Yearsley Baths.



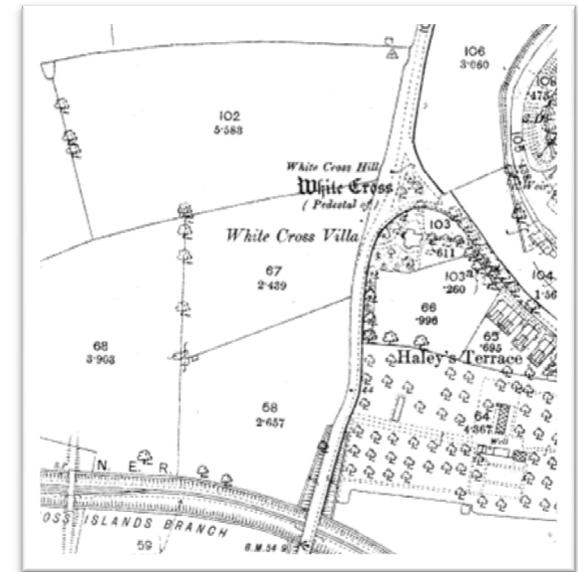
Aerial view of site from the south west

3 HISTORICAL DEVELOPMENT

- 3.1 Throughout the mediaeval period the area seems to have consisted of flat grazing land with few distinguishing features apart from the old 'White Cross' which originally stood on the Haxby Road and is shown on the early Ordnance Survey maps: this large, irregular stone is referred to in documents of 1374 and 1484 but appears to have been neither a cross nor a cross base but a stone block (perhaps incised with a cross) marking the grazing boundaries of the City and St Mary's Abbey. It was located at the junction with another ancient highway (now Haley's Terrace) but was moved to its present position in front of the Yearsley Baths when the road junction was enlarged shortly after the Second World War. In the post-mediaeval period the grazing land was converted to enclosed fields.
- 3.2 In 1879 the Foss Islands Branch of the North Eastern Railway was constructed, passing under Haxby Road and Wigginton Road (which were bridged) to connect the main Malton / Scarborough line to York's power station on Foss Islands Road. This accelerated the spread of the city suburbs along Haxby Road, and at some point in the 1880's Samuel Haley, the

Chief Constable of the city police, built Whitecross Villa facing the White Cross as a prestigious residence in what would have then been an isolated rural location: this distinctive white brick house with its corner turret is notable for its Gothic detailing. By 1890 a terrace of humbler houses had appeared along the south side of Haley's Terrace, presumably built by Samuel Haley as a speculative venture, and other terraces quickly followed.

- 3.3 The open site, bounded by the branch railway to the south and the main radial roads to east and west, offered an excellent opportunity for industrial development. It was bought by the firm H I Rowntree & Co, whose success and growth were outstripping its premises in North Street near the city centre. This Quaker-owned business was founded in the 1860's based on the manufacture of cocoa and chocolate, and boosted in the 1880's by the production of gum-based confectionery (fruit gums and pastilles) which hitherto had been almost exclusively made in France.



Extract from 1890 Ordnance Survey map



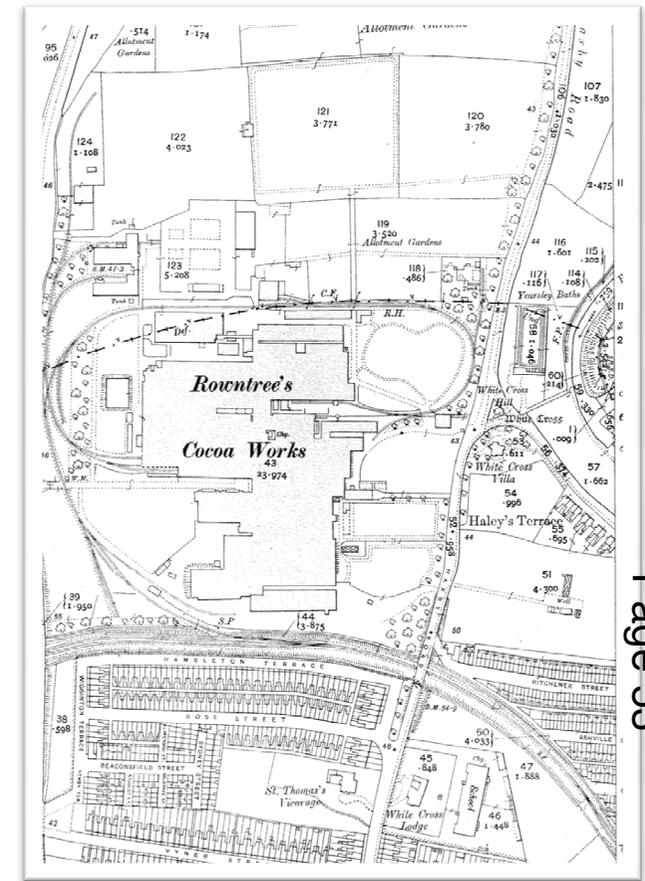
Whitecross Villa

3.4 In 1890 the company bought 29 acres of land on the present site and built new premises for manufacturing its gum products, with its main entrance on Wigginton Road and footpath access off Haxby Road. A further 31 acres were acquired in 1899. Part of the site was used for growing the fruit used for production, and the site was connected to the NER branch line via a private line which moved goods around the site and soon became the main method of importing and exporting.

3.5 In 1907 Rowntree moved all its production to the Haxby Road site and the factory continued to expand northwards, employing a workforce of 4,000 by 1910 and 6,000 by 1920. This period of rapid growth was led by Joseph Rowntree, who had been the head of the company since 1883 and who became Chairman when the company became Rowntree & Co Limited in 1897.



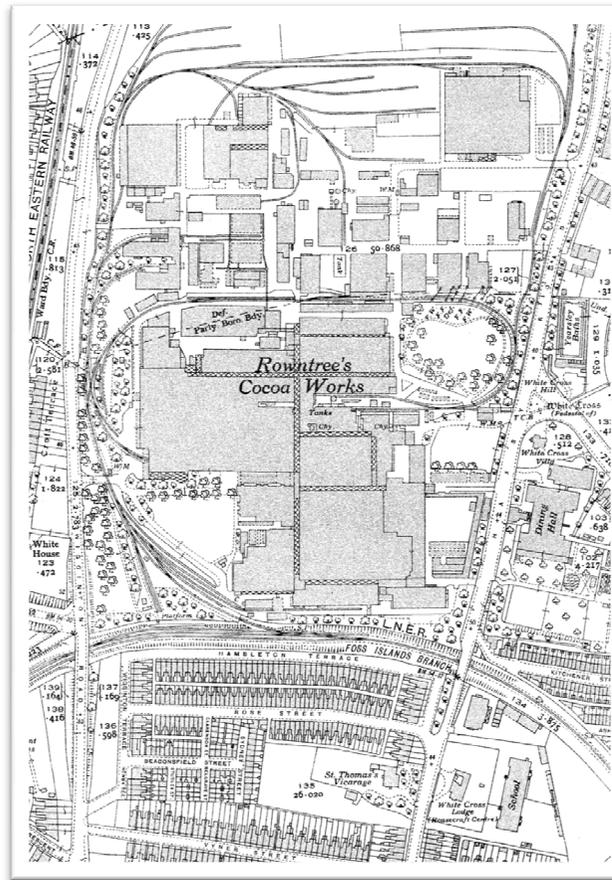
Almond Block Extension 1911



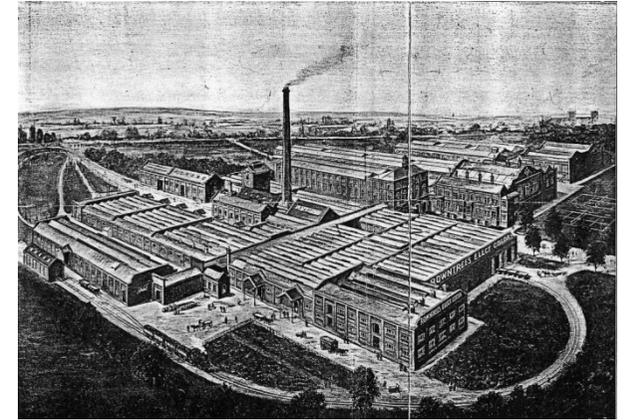
Extract from 1907 Ordnance Survey map

3.6 In the southern part of the site (which is the area of most architectural and historic interest) few of the late Victorian buildings still survive apart from the 2-storey General Office of 1896, but 3 major buildings survive from the period leading up to the First World War. The Melangeur Block (1906), the Almond Block (1907) and the Almond Block Extension (1911) are aligned west–east along the southern boundary of the site and are notable for their size (6 storeys high) and their innovative use of reinforced concrete. They were designed by the company’s in-house architects (W H Brown followed by W J Swain) and built by the company’s building department.

3.7 A new Dining Block for the factory workers (now the Nuffield Hospital) was built in 1913 on the opposite side of Haxby Road, possibly connected by subways under the highway. This pioneering reinforced concrete building included some of the longest concrete beams in the country, and included a gymnasium and school facilities for the workers.



Extract from 1937 Ordnance Survey map



Bird's eye view 1900 from the northwest



Dining Block 1913 (now Nuffield Hospital)

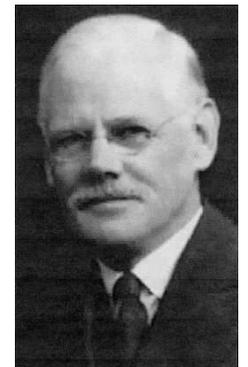
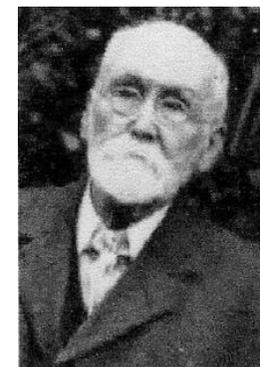
- 3.8 The expansion of the factory continued up until the start of the Second World War, and from this period by far the largest surviving building is the Cream Block (1936) and its northerly extension (1938) running northwards parallel to Haxby Road. This steel-framed building was clad in brick, finished at roof level with a distinctive band of white sculpted render.
- 3.9 As Quakers, the Rowntree family were philanthropic employers who were conscious of the poverty and unsanitary conditions that many of their workers endured at home and who set out to provide good conditions at work. In particular, Joseph Rowntree and his son Seebohm Rowntree were pioneers of social reform and industrial relations. The work of Seebohm Rowntree influenced the government to introduce the Old Age Pensions Act and the National Security Act.
- 3.10 Workers were provided with open, well lit and well ventilated accommodation, the free use of a staff doctor, dentist and optician, and free schooling for workers under 17 years of age. A pension scheme was introduced in 1906, a widows' pension scheme in 1916, and an annual week's holiday with full pay in 1918, and a 44 hour working

week in 1919. A Central Works Council for employees was created in 1919 and an unemployment scheme was introduced in 1921.

- 3.11 The company was also active in improving the amenities of the city in general. In 1909 the Yearsley Baths (originally open-air) were built by the company and presented to the city for public use, and in 1921 Rowntree Park was created and gifted. As a separate venture, Joseph Rowntree founded the garden village at New Earswick in 1901, further along Haxby Road, to provide good housing for any workers on low incomes.



Cream Block 1936



Joseph and Benjamin Seebohm Rowntree

3.12 After the death of Joseph Rowntree the Joseph Rowntree Memorial Library was built in 1927 on Haxby Road opposite the Dining Block, to the design of a distant relative, Frederick Rowntree. In contrast to the modernistic Cream Block behind this is a small but distinctive building, recently Listed as a Building of Special Architectural or Historic Interest (Grade II). The reasons for Listing entry are that 'the library is an intact and unaltered example of an inter-war library: it has strong historical associations with the nationally important figure of Joseph Rowntree: it retains a large number of original fittings and fixtures of high quality: and it is an unaltered example of Arts and Crafts inspired architecture'.

3.13 Attractive gardens were laid out nearby for the workers' enjoyment, with oak lamp posts carved by Robert Thompson ('the Mouse Man') of Kilburn.

3.14 The last building of historic interest from this era is the Joseph Rowntree Theatre, built in 1935 next to the Dining Block as a facility for the factory workers and Listed Grade II. The Listing entry describes it as 'a rare example of

a surviving theatre from the mid-1930's outside London, and an example of the progressive social policies of the Rowntree family towards their workforce'. It is in Arts and Crafts Movement style and the architect was Barry Parker whose practice (Parker and Unwin) was responsible for the garden village at New Earswick and who went on to design Letchworth Garden City and Hampstead Garden Suburb. The theatre is still in active use and managed by a charitable body.

3.15 Following the Second World War little further development took place as the country went through a period of economic recovery, and the company concentrated on developing its markets abroad. In 1969 the company merged with John Macintosh and Sons to become Rowntree Mackintosh Ltd, and development thereafter concentrated on building new and larger single storey production lines and warehouses, often replacing the earlier buildings. By 1979 the Rowntree site had grown to 149 acres, of which 71 acres were occupied by factory buildings and car parks, 55 acres were agricultural land, and 23 acres were sports fields.



Joseph Rowntree Memorial Library 1927



Joseph Rowntree Theatre 1935

- 3.16 By the 1980's the factory had reverted to road transport for its import and export of goods and the Foss Islands Branch Line was closed: it has since been converted to a cycle track as part of the national cycle network. In 2003 the Dining Block was sold to the Nuffield Hospital and is now a private hospital.
- 3.17 In 1988 the company was purchased by the Swiss firm Nestlé but the site has retained its former name as the Rowntree Works. It is currently one of the largest employers in York, with a workforce of around 1,800.
- 3.18 The work of social reform started by the Rowntree family still continues through the Joseph Rowntree Foundation (which addresses housing and poverty in the United Kingdom) and the Joseph Rowntree Charitable Trust (which operates internationally).



Almond Block Extension viewed from the former Foss Islands Branch railway line



Key to Significant Buildings
(reading left to right)

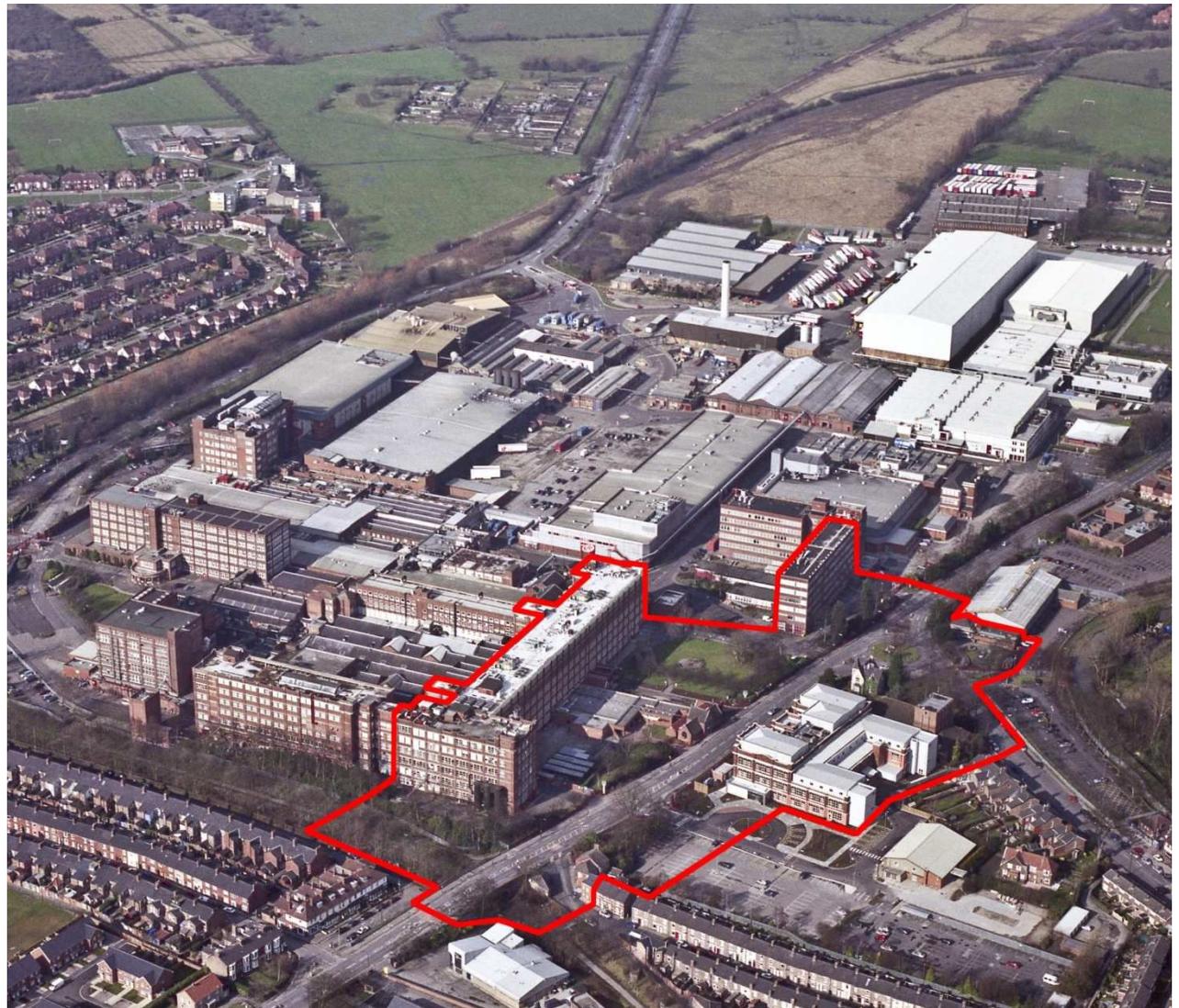
- Melangeur Block 1906
- General Office 1896
- Almond Block 1907
- Almond Block Extension 1911
- Cream Block 1936
- Joseph Rowntree Library 1927
- Dining Block 1913 (Nuffield Hospital)
- Whitecross Villa 1880's
- Joseph Rowntree Theatre 1935
- Yearsley Baths 1909 and White Stone

Aerial view from the south east

4 THE PROPOSED CONSERVATION AREA

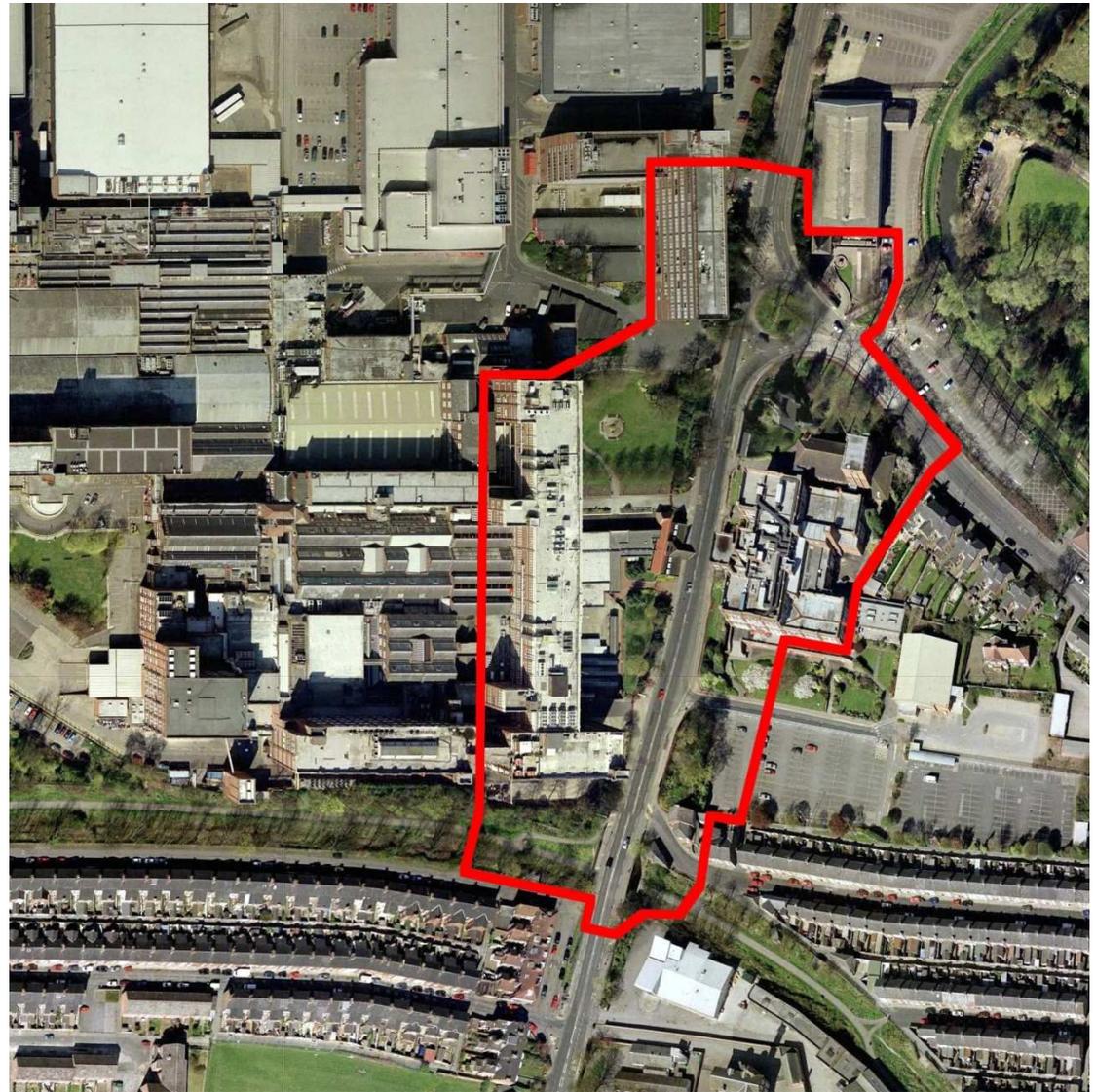
- 4.1 Nestlé / Rowntree announced plans in September 2006 to redevelop the site, making a large capital investment in the northern part of the site but vacating the southern part (comprising around 40% of the total area), which contains the older buildings less suited to modern manufacturing or upgrading. The southern part of the site is therefore to be sold for redevelopment.
- 4.2 York City Council has prepared a brief for the redevelopment of the site (the Nestlé South Development Brief May 2007) which as one of its key objectives calls for redevelopment which ‘retains factory buildings of agreed distinction...’ (Objective K01). To this end an initial Historic Buildings Assessment report was prepared by Hall Grey Architects on behalf of Nestlé in August 2006, and English Heritage has carried out a recent evaluation for potential statutory listing of specific buildings, as a result of which the Joseph Rowntree Memorial Library is to be Listed (Grade II).
- 4.3 Another key objective of the brief is for redevelopment which ‘respects the character and fabric of factory buildings fronting Haxby Road, together with the library, theatre and Nuffield Hospital
- and safeguards the wider character of the area and the setting of the historic city’ (Objective K02). The brief considers that these buildings reinforce the positive identity of York and their loss would seriously diminish the sense of place, and states that ‘The Council will be looking to designate the buildings and spaces either side of Haxby Road (between the bridge and the roundabout and extending part way along the former Foss branch line cutting) as a Conservation Area’.
- 4.4 Areas can only be designated as conservation areas when they are of “special interest” in the local context, based on consistent criteria. However, there are no nationally adopted criteria, and the Council is therefore free to define the conservation area as it wishes. Designation means that extra planning controls would apply to assist in the preservation or enhancement of the character and appearance of the area, and the future development of the Nestlé South site would be informed by the Character Appraisal.
- 4.5 The role and extent of the proposed conservation area has been considered in relation to the various other planning
- mechanisms which are available to protect the heritage and other townscape assets of the site, as described below.
- 4.6 Firstly, in respect of the preservation of historic buildings of national importance, the English Heritage evaluation has been completed and, whilst there is no obligation for the area to include them, all the Listed buildings will be included in the proposed conservation area. In addition, the area can be used to protect unlisted buildings of local interest, and other townscape features of value.
- 4.7 Secondly, the Nestlé site is characterised by mature trees and planting along its boundaries which are of townscape, amenity and wildlife value and which may need to be protected. Any trees and planting within the conservation area would become protected, but any trees outside the conservation area could be protected by Tree Preservation Orders.

- 4.8 Thirdly, although excluded from the conservation area, any development of adjoining sites which might affect the setting of the conservation area can be subject to more rigorous control through normal planning powers.
- 4.9 Lastly, the Council as Local Planning Authority can protect features within the Nestlé site through the specific development brief for the site and the development control process.
- 4.10 A further consideration, bearing in mind that conservation area designation is aimed at preserving and enhancing the existing, is that too extensive a coverage of the Nestlé site would reduce its redevelopment prospects.
- 4.11 It is therefore considered that the need for a conservation area is limited to a relatively small and tightly defined area focussed on that part of Haxby Road between the disused railway line bridge and the roundabout junction with Haley's Terrace.
- 4.12 The proposed conservation area is illustrated on the plan and aerial photograph attached. The scope of the conservation area has been decided by the following issues:



Aerial view from the south east showing the proposed conservation area

- 4.13 To the west of Haxby Road the area is mainly bounded by the Cream Block and the Almond Block Extension, which are large, prominent and very distinctive buildings confirming the industrial nature of the area. Of the manufacturing complex they are probably the two buildings which are most familiar to the general public. Between these buildings and Haxby Road the landscaped factory gardens, the clocks and the Joseph Rowntree Library are important features which would all be included in the area.
- 4.14 The conservation area would stop at the western edges of the Cream Block and Almond Block Extension and would exclude the Almond Block and the Melangeur Block. Whilst these may be of industrial interest they are much less prominent visually, and their inclusion as an offshoot to the conservation area would be an awkward contrivance. Likewise the original Office Block is excluded, since it stands in the centre of the redevelopment site surrounded by buildings of much less interest. If it is felt that these buildings are worthy of preservation a more suitable means of protecting them would be by the constraints of the Planning Brief.



Vertical aerial view showing the proposed conservation area boundary

4.15 At the southern end of Haxby Road the bridge over the former railway line acts as a definite boundary between the factory site and the city suburbs, and the railway itself was a major reason for the factory to be developed here. Although somewhat obscured, the original brick arch bridge survives on the eastern side. The bridge and a short stretch of the former railway line are therefore included.

4.16 The railway line with its margins of mature trees is a major amenity extending in both directions, but it requires to be protected through alternative planning powers rather than through a wider extension of the conservation area.

4.17 To the east of Haxby Road the conservation area would include the three principal buildings (the Dining Block, the Joseph Rowntree Theatre and Whitecross Villa) and their immediate grounds. At the southern end it would ensure a high degree of control over the land attached to the Nuffield Hospital and fronting onto Haxby Road (part of which is planted) in order to ensure compatibility with the rest of the road frontages. At the northern end it would include the

mature trees in the grounds of Whitecross Villa which define the corner with Haley's Terrace and frame the roundabout.

4.18 The northern end of the conservation area is defined by the roundabout junction with Haley's Terrace. To the southeast of the junction the carpark bounding the River Foss is not included as it is not considered to be a critical component of the conservation area, but it will be afforded additional controls as part of the Foss Walkway Project. To the northeast the area would include the original frontage to the Yearsley Baths but not the main building (which is currently being rebuilt), and it would include the White Stone to the front.

4.19 To the northwest of the junction the area would include the large modern office block set back from Haxby Road behind a planted buffer. The purpose would not be to protect this building but to ensure that any redevelopment in the future was well controlled. The existing building is very prominent when approaching the roundabout from Haley's Terrace and from elsewhere, but the boundary treatment is a natural continuation of that to the south.



Yearsley Baths and the White Stone



Modern office block opposite roundabout

5 CONSERVATION AREA APPRAISAL

- 5.1 The conservation area is best described in a south-north direction travelling out of the city centre. Haxby Road forms the axis of the conservation area, whose buildings and other features are mostly clustered around the straight section of road between the former railway bridge (to the south) and the roundabout junction with Haley's Terrace (to the north). It is a relatively compact area, many of whose principal features can be seen from single vantage points along the road.
- 5.2 The conservation area has a very limited number of important townscape views. The view northwards from the bridge travels the full length of the area and, more sinuously, continues past the roundabout and into a tree-lined road of semi-rural appearance. In the reverse direction, views southwards travel the full length until checked by the bridge, but it is an attractive characteristic that York Minster stops the longer view: this provides an important visual and symbolic link between the historic city and the more modern factory.
- 5.3 The former railway bridge at the south end of the area provides a distinct entrance and visual containment

to the area as it rises and falls again over the former railway cutting. The former railway line was fundamental to the choice of location for the factory, and the cutting now provides a leafy footpath and cycleway. Although doubled in width on its west side, and heavily re-modelled, the eastern side of the bridge is still intact and its attractive brick arch remains unspoiled when viewed from that side.

- 5.4 The Almond Block Extension (1911) is a powerful industrial building which dominates the southern part of the area and is visible outside the conservation area, terminating views northwards along Haxby Road. Its skyline and the modelling of its south-east corner turret are distinctive features. Attached to it on the north, the enormously long Cream Block (1936-8) forms much of the western boundary of the area, and its basic industrial design is softened by its moulded and light-painted top render band. These two buildings are probably the best known of the factory buildings, and the most presentable: they span a period of critical growth for the factory, and their different designs complement each other.



View southwards along Haxby Road, Library and Almond Block Extension on right



Almond Block Extension – corner turret

5.5 The setting of the Cream Block is enhanced by the ornamental gardens which separate it from Haxby Road, including the flower-bordered pathway running up the main entrance, all of which demonstrate the Rowntree philosophy of creating a humane and attractive environment for their workers. The clocks standing at the factory entrances are eye-catching features, designed with great care.

5.6 Several other buildings, on both sides of Haxby Road, testify to the care afforded to their workers by the Rowntree family, and the respect which they earned in return. The Joseph Rowntree Memorial Library has a classically inspired exterior, with a timber framed interior of 'Arts and Crafts' character, and although small by comparison with the factory buildings behind it is set against gardens and other lower buildings which give it stature. It is, however, somewhat marred by a modern poorer quality extension to the rear. The Dining Block opposite is another powerful and very elaborate building, bearing in mind its original function.



Gardens in front of Cream Block



Factory clock on Haxby Road

5.7 The Joseph Rowntree Theatre is another amenity of great quality and benevolence. The continued use of the theatre for its original purpose, enlivens the area at night, and accentuates the extraordinary character of the area as one of industry but bounded by social and cultural responsibility.

5.8 Towards the north end of the area Whitecross Villa is unusual in being unrelated to the factory, but is the oldest building in the area and of considerable presence and quality: it is prominent in the streetscape when viewed from the north and its corner turret is a striking feature.

5.9 Various details throughout the area provide a sense of unity and quality. The mature trees and shrub banks lining the Rowntree site frontages are attractive and well-tended, and the original cast iron railings and gates are simple but were given a degree of decoration beyond what was strictly necessary. Whitecross Villa is fortunate to have been bounded by the same railings as the rest of the Rowntree factory. The mature trees within the grounds of Whitecross Villa, and to a lesser extent the Nuffield Hospital, also make a great contribution to the character of the area.



Roof finial to Whitecross Villa



Typical factory railings



Railings to Joseph Rowntree Library

5.10 Finally, the Yearsley Baths building beyond the roundabout, built as a gift to the city, is another reminder of the benevolence of the Rowntree family and the economic success of their enterprise. The frontage building presents a modest but attractive elevation to Haley's Terrace, but the more elaborate frontage to Haxby Road is now sadly obscured by foliage. The ancient White Stone lies rather incongruously in front of the Baths, in municipal landscaping.

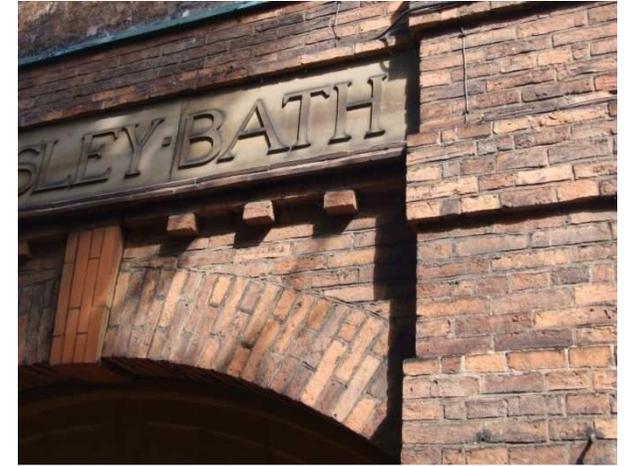
5.11 The conservation area would contain many buildings and features of positive value and relatively few of detriment. An evaluation of the various elements is shown on the attached plan.

- Buildings and features of positive value to the area
- Landscaped / planted areas of positive value to the area
- Buildings and features of neutral value to the area
- Buildings and features detrimental to the area



6 FUTURE MANAGEMENT SUGGESTIONS

- 6.1 If the conservation area were to be accepted its management would be the subject of a detailed Management Plan to be prepared later. This report does not include a draft Management Plan but makes some suggestions for the physical enhancement of the conservation area, as follows:
- 6.2 The landscaping to the front of the Yearsley baths could benefit from being improved, including thinning out the shrubbery etc against Haxby Road to expose the original frontage with its carved stone lettering. The signage on the Baths should also be reduced and improved.
- 6.3 As part of this re-landscaping a plaque should be provided explaining the history of the White Stone Cross, and consideration might be given to reinstating it on its original site on the roundabout.
- 6.4 The telephone wires crossing Haxby Road north of the roundabout are rather obtrusive and would be better routed below ground.
- 6.5 The pavement surfaces on the west side of Haxby Road, north of the Library, have been badly disfigured by services trenches and ad hoc patching and could benefit from resurfacing.
- 6.6 Some of the original steel railings on either side of Haxby Road (particularly facing the Almond Block Extension and enclosing the Nuffield Hospital) have been replaced with modern steel palings. The original fencing gives unity and rationale to the area and if possible the new railings should be replaced with the original (if salvaged) or new to match.
- 6.7 Following on from the above, some railings on Haxby Road have been painted in different colours following separations of ownership: it would enhance the conservation area and add logic if the colours could be unified.
- 6.8 The plant rooms recently added to the roof of the Nuffield Hospital (- the former Dining Block -) are visually obtrusive but have been finished in a light colour: it would be beneficial for them to be given an even lighter finish to reduce their impact further.



Yearsley Baths original entrance detail



The White Stone

- 6.9 The brick plant room and timber screened plant enclosure recently placed to the side of the Hospital and close to Haxby Road are rather obtrusive visually: ideally they should be relocated, but otherwise consideration might be given to screening them with plants and reducing the height of the timber fencing.
- 6.10 Providence House a short distance north east of the bridge (at the end of Kitchener Street) is a modest Victorian house damaged by a modern front extension: improvement to its frontage would benefit the area.
- 6.11 The vegetated margins of the cycle track (- the former railway line -) could benefit from being tidied up either side of the bridge.



Robert Thompson's "signature" – the carved mouse on the garden lampposts

7 SUMMARY

7.1 The Nestlé / Rowntree factory has played a major role in the economy and social history of the city since the late 19th century, and has been an outstanding example of enterprise combined with philanthropy, through the philosophies of Joseph and Seebohm Rowntree. The Rowntree family has assumed national importance for their enlightened views on industrial management and the alleviation of poverty, and has bequeathed to the city several buildings of architectural and social value.

7.2 It is therefore considered appropriate, at a time when the oldest part of the factory site is redundant and being considered for redevelopment, that the city should seek to conserve some of the most significant and best known buildings and features of the factory site, focussed on Haxby Road, together with other buildings on Haxby Road of historic importance.

7.3 The City Council has prepared a development brief for the Nestlé / Rowntree site but considers that the architectural and historic character of

the area is most appropriately preserved through the designation of a new conservation area. This report defines and recommends a proposed conservation area which would preserve the most critical elements, whilst at the same time leaving adequate latitude for the development of the surplus factory land.

7.4 This report has been prepared in parallel with another appraisal by English Heritage, to consider whether any specific buildings are eligible for Listing as Buildings of Special Architectural or Historic Interest, as a result of which the Joseph Rowntree Memorial Library has been Listed (Grade II). Both of the two Listed Buildings in the area (- the Library and the Joseph Rowntree Theatre -) are included in the proposed conservation area.

7.5 It is therefore recommended that the proposed conservation area is now subject to public consultation, with a view to designation.

York City Council September 2007



This page is intentionally left blank